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"I TOLD YOU SO!" Now that Defense Day (nee Mobilization Day but renamed by its parents in order to give the poor creature a fair start in life) has passed into well-merited oblivion, it is easy to point out how the event justified our predictions. The bona fide military value of the demonstration—if there was any—was overshadowed by an outpouring of brassy patriotism, of the blah and blurb that we recall so well from 1917-1918. In Bergenfield, New Jersey, a lying announcement was made that all men of military age would be arrested if they did not take part in the mobilization, and the falsehood was justified by the chief of police on the ground that "it put Bergenfield on the map." In New York City the participation of our "captains of industry" was featured by the newspapers. "Financiers Are Mobilized," said one headline, following which were details of the way in which Elbert H. Gary put the industrial resources of the country at the service of the Government before you could say "Jack Robinson." That's just what he would do—in time of peace. In time of war he would do again as he did in 1917-1918—profiteer in steel until a threat by the Government to nationalize the industry finally brought him to terms.

YES, DEFENSE DAY turned out in most of its aspects just as the anti-militarists had predicted. But not quite. They were not sufficiently optimistic to realize the full strength of the opposition that it would arouse. A good deal of this went unspoken, but enough made itself articulate so that the War Department's hope to carry the country back to the psychology of six years ago was only a frothy fizzle. The protests against Defense Day will remain as the one most significant aspect of it. As we write there lies before us a resolution adopted by the Colorado Annual Conference of the Methodist Episcopal Church, reading in part:

> Such a day is certain to promote, rather than to allay international friction. Such a day is designed to stimulate in our youth enthusiasm for warlike enterprises, rather than to direct it into channels for the promotion of good-will. Such a day merits the uncompromising condemnation of the Christian church.
>
> Therefore, Be it resolved that we, the members of the Colorado Annual Conference, as ministers of the gospel of Jesus, *refuse to have any part in the execution of the plans of our War Department for the observation of this day.*

The anti-militarists have won. The War Department will not order another Defense Day next year. We dare it to.

LA FOLLETTE STILL LEADS in the straw vote being conducted by the Hearst papers. Out of the first 117,000 ballots cast 49,000 went to the man from Wisconsin, 47,000 to President Coolidge, and only 21,000 to John W. Davis. We commend these figures, indeterminate as they are, to those who object that La Follette may throw the election into Congress. If the election goes to Congress it will be because the Democratic wing of the conservative alliance cuts into the vote which should go to La Follette. We do not believe that the little group of ex-Progressives who complain that La Follette has stolen the party name copyrighted by Roosevelt will disturb many voters. These men seem to have lost their grip on realities. No one man can crystallize the meaning of a word beyond the power of other history-makers to change it. What was "progressive" in 1912 may be reactionary in 1924. Those who object to new meanings in an old political phrase are like Canute bidding the waves be still, or Calvin Coolidge fearfully predicting that for the American people to alter their Constitution (which begins with the words "We, the people of the United States") would be to destroy their own liberties.

"THE THOUGHT OF THE WORLD turns increasingly toward peace," Mr. Coolidge told the convention of the American Legion. Well, maybe. Mr. Coolidge had just finished telling about our American Mobilization Day. France is conducting her first large-scale post-war naval maneuvers in the Mediterranean—where England now concentrates eight super-dreadnoughts, two strong division cruisers, four destroyer flotillas, two airplane carriers, a submarine fleet, and auxiliary craft. Italy and Egypt are massing troops on their desert frontier, unable to settle a border dispute by the peaceable processes of friendly negotiation. China is watching the movements of the greatest armies which China has ever seen, maneuvering for position in civil war. It would be only natural if at such a time the thought of the world should turn increasingly toward any faint hope for peace.

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AT GENEVA the French and British representatives have at last faced the appalling post-war increase in armament with a certain sense of the desperate realities. Europe, we have been told, was such an armed camp before the war that an outbreak became inevitable—and *Europe has more men under arms today than she had before the war*. The new militarism of Poland and the other new nations is again breaking Europe's back. Ramsay MacDonald and Edouard Herriot have been earnestly seeking some form of agreement which will make disarmament politically possible. England—quite properly, we believe—rejected the treaty of mutual assistance which based the hope for peace on a promise to use force. France, however, is not content with arbitration treaties which give no strong guaranty of security. Mr. Benes, the astute Czech diplomat, has been working upon a compromise plan. The proposal to use the British fleet to enforce League decisions was naturally disavowed almost as soon as it was put forward. But something will have to be done. It is unlikely that effective measures will be put through at the present session of the Assembly, but it is a gain that the questions of security and disarmament have been thrust into the forefront of European discussion. So long, however, as the League and the Allies leave Germany and Soviet Russia outside, as pariah nations, their discussions are condemned to sterility.

THE INTERNATIONAL COMMISSION for the Revision of the Rules of Warfare has unanimously agreed that "aerial bombardment for the purpose of terrorizing the civilian population, . . . or of injuring non-combatants, is prohibited." The same round is starting over again. Rules are made in peace and broken in war the minute one side is pushed to an extremity. In the next war the temptation will be the greater because man's knowledge of destruction has increased tremendously during the few years since the last war. On this point the report which has been submitted by the world's poison-gas experts to the League Assembly this month leaves very little to the imagination. In the World War an army had a choice of thirty different gases. Now an army can equip itself with over a thousand—so rapidly do we "progress." After the recitation of a long string of horrors for the civilian population against which there is absolutely no protection at present, the report concludes by urging that civilians should be warned of their future fate. Dr. Leo H. Baekland, president of the American Chemical Society, is doing his best. In the next war, he tells the society, "science will let no one escape and there will be no refuge from death and torture."

A TENTATIVE PLAN for cooperation between northern and southern Ireland has received hesitating official approval but official action seems palsied by fear of the Ulster extremists. The proposed plan would open up a way of future cooperation between Ulster and the Free State; it would eliminate the present deadlock over the Boundary Commission; and it would wipe out the disputed frontier and make Ireland an economic and in part an administrative unit. According to the plan Ulster will preserve its autonomy but will become a part of the Irish Free State as a British Dominion. Both will have their own Parliament and will have equal right in an all-Ireland Council which will decide questions affecting the whole of Ireland. English Conservatives who have always backed Ulster in its opposition to Catholic Ireland are urging Ulster to consider the proposed plan; Mr. De Valera is said to be willing to give up his agitation for an Irish Republic. Peace in Ireland depends upon some form of agreed unity, and the present situation with the Free State a Dominion and the six northern counties a political unit subject to the British Parliament is difficult. Let Irishmen of the North indulge that English heritage of compromise a little more freely and Irishmen of the South accept the advice of Æ not to rely so much on "the easily excited surface passions" but to turn to that "ancient Gaelic tradition of generosity of mind."

RAMSAY MACDONALD'S ACCEPTANCE of a motor car and an endowment fund for it of $150,000 from his boyhood friend, Sir Alexander Grant, is a grave political blunder. We have no question whatever that this had no connection with the baronetcy conferred upon Sir Alexander Grant three months later. On that point Ramsay MacDonald's word is sufficient. But the fact remains that his enemies now have a weapon with which to attack him and to assault his Government. That Sir Alexander Grant's action was induced solely by a desire to preserve the strength and health of the Prime Minister there can be no doubt. Politically, the two men stand at opposite pole and as Sir Alexander knows MacDonald well he knows course, that it is impossible to influence MacDonald's c victions save by pure reason. But the mistake is th none the less. Hope lies in the fact that it may British attention to the fact that their Prime Minister miserably underpaid as to make it almost impossible f man of MacDonald's small means to accept the posi The Prime Minister receives $25,000 a year, of which has to give back to the Government one-fourth in incc taxes. Out of the remainder he must pay the cost of expensive official residence, requiring a large staff of serv ants. Even the lighting and heating are defrayed by him. If there is anything left of his salary at the end of a year the Prime Minister is obviously in luck. That he should not even have an official automobile is nothing less than amazing.

ENGLAND'S LABOR GOVERNMENT has found a way out of the unfortunate Amritsar predicament caused by Mr. Justice McCardie's approval of the conduct of General Dyer. Instead of taking issue with the judicial branch of the Government, causing a breach which would inevitably have been laid to the ineptitude of the Labor regime, Lord Olivier has hunted around and found a suitable principle expressed by a member of a previous Government. Mr. Montagu, Secretary of State for India in the Lloyd George Cabinet, affirmed

> The principle which has consistently governed the policy of his Majesty's Government, in directing the methods to be employed when military action in support of the civil authority is required, may be broadly stated as the use of the minimum force necessary.

Mr. Justice McCardie in his approval of the killing of 380 people went beyond this. The Government, adds Lord Olivier,

> feel bound to dissociate themselves from the further view apparently held by the judge that the action proper to be

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taken by a military police officer for dispersing an unlawful assembly may be determined by a consideration of the moral effect it may be thought likely by the officer taking it to have on other persons whom he may believe to be contemplating disorder elsewhere.

DISPATCHES FROM PARIS, Constantinople, and Trebizond report a revolution in the soviet republics of the Caucasus. These dispatches prove one thing only: that anti-bolshevik conspirators outside of Soviet Russia have been plotting a revolution within the borders of the Union of Socialist Republics. Again and again and again the outside centers of counter-revolutionary conspiracy have announced revolutions in Russia. Sometimes rebellions occur on scheduled time; usually not. We shall await more authentic news, and we marvel that the press associations which accepted similar rumors as to the nine preliminary deaths of Lenin, the imprisonment of Trotzky, and the burnings of Petrograd (now Leningrad) do not learn to distrust the makers of Russian revolutionary time-tables.

CHILE, A COUNTRY whose favorite boast has been that of having only two revolutions in more than one hundred years of independent life, now appears ousting its first democratic President in the name of the very principles of progressive legislation and public economy that were at the basis of Alessandri's platform. Unfortunately, the military Cabinet that rebelled against the establishment of salaries for members of Parliament advanced as one of the urgent points in its own program of reforms an increase of pay to the military. At a time when Chile was all but bankrupt, such a clumsy trick makes it hard to believe the assertion that the armed movement is inspired by an unselfish and patriotic group of responsible citizens from all ranks of Chilean society. Through no fault of his own President Alessandri did not fulfil the expectations which Chilean democracy once centered in him. Caught between a well-intrenched senatorial opposition and a hungry flock of followers, Alessandri, during his four years in office, could neither reduce public expenditures nor materialize into laws the many important reforms he had bound himself to effect. So the masses that had idolized him, and the radical party that was his Imperial Guard to victory, ended by deserting him at the moment the pressure of the military and naval juntas was made manifest. Probably General Altamirano's Cabinet would have been satisfied to assume the reins of government, leaving Alessandri in the saddle for form's sake until the expiration of his five-year term in 1925. But Alessandri is too dominating a personality, besides being too clever a politician, to take a second seat with more responsibilities than prerogatives attached to it. Now a frankly reactionary coalition is in charge, and must justify its claim to a more disciplined and economic administration.

WE RECENTLY CONTRASTED Russia's and Scandinavia's enlightened laws for the protection of children of unmarried parents with the medieval system generally in vogue in other modern countries—including England, which has lately adopted a half-hearted "reform," and the United States. But the United States is forty-eight countries when it comes to laws of this nature, and their standards of enlightenment in regard to the treatment of children vary widely. North Dakota, for instance, is far up the scale and deserves special notice. In that State, without wiping out the distinction between legitimate and illegitimate children, much of the effect of this distinction is nullified by careful provisions for support and inheritance. Once paternity is established by private court hearing the father of an illegitimate child becomes liable for the expenses of the mother's confinement, and the mother can recover "a reasonable allowance" for the support of the child. If the father dies, such claims may be enforced against his estate. Such a statute goes far toward abolishing the cruel handicaps loaded by society on helpless children; a social distinction that carries with it little or no economic penalty soon loses its sting.

WHETHER THE DEATH PENALTY is good or bad for society is far from universal settlement. But the increase of scientific knowledge will inevitably lead us to the position of considering crime a symptom of disease. Such a point of view is, of course, not compatible with the death penalty, though a long period of scientific research and public education may have to pass before we settle in any such rational position. Meanwhile, if we must put up with the odious practice, the executioner's job, like jury duty, might be made a civic duty. Judges and jury could then see to the bitter end the majesty of the law at work. They could share the feelings of John Ellis, England's famous hangman, who recently attempted to commit suicide as a result of brooding over the fact that he had sent to their doom more condemned murderers than any other man.

WE ARE GLAD that the zeal of a New Jersey clergyman was not sufficient to deport the Wild Bull of the Pampas. There seems to have been more than a little irregular in the admission of the illustrious Mr. Firpo to this country, but it is all too evident that the New Jersey clergyman was not sincerely concerned with this; he was trying to stop a prize-fight which, rightly or wrongly, was entirely within the law. This kind of indirection, all too common in our day, has hardly more justification than an attempt to head off a prosecution by "getting something" on the prosecutor. Just the same, the admission of Mr. Firpo makes one blink. Why was the lady who accompanied him less moral than he? Why was she packed back where she came from while he was made welcome? Of course it may be argued that by separating them, Mr. Firpo's morals were put beyond contamination. But as a matter of equal rights, we suggest that next time they shall be allowed to draw lots as to who shall stay and who shall go.

Efforts are being made by a group of Armenians to interest American capitalists in a plan to exploit Mount Ararat. The plan is to erect a funicular railway and to charge a small fee for making the ascent.—News item.

ON ARARAT, where Noah docked his ark,
Americans are asked to build a park,
That the undelugible hill may be
Invaded by funicular for a fee;
That where the renovated race began
The tourist may deposit trash and can;
That in the ancient footpath of the Lord
The loud Rotarian may steer his Ford.
Does Ararat today not wonder if
He was too hospitable to that skiff?

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Our Despotic Courts

A DECLARATION in favor of maintaining the powers of our courts as they are was made on the same day, September 6, by the presidential candidates of both the Republican and Democratic parties. Although Senator La Follette was not mentioned by name, both declarations were obviously aimed at his proposal to give Congress—through amending the Constitution—the power to override by a two-thirds vote a decision of the Supreme Court. On September 11 "Hell and Maria" Dawes joined in the discussion, attacking Mr. La Follette by name as a "master demagogue." It happens that the platform of the Progressive Party contains only a general declaration in favor of limiting judicial tyranny and not the specific method of dealing with the Supreme Court suggested by Mr. La Follette. Neither has the Senator stressed the proposal personally in his speeches. But since we regard the curbing of the despotism of our courts (the sole custodians now of the old "divine right of kings") as one of the supreme issues of the day we are glad that the Republican and Democratic candidates have injected it into the campaign.

Mr. Davis touched on this tremendous subject in only a passing way in his speech at Omaha, but his intent was clear. President Coolidge made the defense of existing powers and practices of the courts the outstanding note in his speech at Baltimore, and we credit him with an able presentation of the subject from his point of view. He emphasized especially the place of the courts in protecting the minority from the tyranny of the majority, remarking:

> Somewhere must be lodged the power to declare the Constitution. If it be taken away from the court, it must go either to the executive or the legislative branch of the government. No one, so far as I know, has thought that it should go to the executive. All those who advocate changes propose, I believe, that it should be transferred in whole or in part to the Congress. I have a very high regard for legislative assemblies. . . . But the legislature is not judicial.

No, the legislature is not judicial. But all too often *neither are the courts*. That is the essence of the trouble. Numerous other countries with written constitutions give to their courts, directly or impliedly, the authority to interpret these documents, but in not a single instance has it been used as in the United States, and in no other country is progressive public opinion outraged over the exercise of such power. This is not altogether the fault of our judges. Perhaps it is not their fault at all. Our federal Constitution, and also those of our States, contains certain broad provisions—particularly bills of rights—the interpretation of which cannot be strictly judicial. That is, any interpretation involves a determination of policy—which is a legislative act. So there you are. The United States Supreme Court is practically a third house of Congress. But, unlike the other two, it is not subject to the veto of the President and it is not elected by the people. Yet its voice is final and absolute.

And that is not the worst of it. The worst of it is that whereas Congress changes its opinion from year to year to conform with progress and new public opinion, the Supreme Court acts according to precedent. What was decided in 1824 has to stand in 1924 also. Thus the court is progressively falling behind the times. In the early years of the republic the court's decisions generally met with public approval because they were fresh-made and in line with the thought of their day. This is no longer true. Since the interpretation of our federal Constitution is often necessarily a legislative act, isn't it our wisest course to put this power—with certain limitations as proposed by Mr. La Follette—in the hands of the elected representatives of the people?

Mr. Coolidge seems to think that there are only two alternatives: either to adopt England's way of having no written constitution and leaving Parliament supreme or to accept the American method of a written constitution with the United States Supreme Court as the final arbiter of it. Mr. Coolidge lacks information. In *The Nation* of May 14, last, Professor Charles Grove Haines of the School of Law of the University of Texas and a recognized authority on the courts of foreign countries pointed out that the great republic of France had adopted a third principle:

> The same theory of separation of powers which was thought in America to require judicial review of legislative acts to preserve written constitutions and to protect individual rights was interpreted in France to forbid the judges from interfering in the exercise of legislative power and of preventing them from suspending the execution of laws. . . . France is one of the chief examples of a government with a written constitution and legislative supremacy; that is, where the protection and guaranties of the constitution rest with the legislature itself, guided and tempered by public opinion as the source of legislative power and authority.

Thus the citizens of France have long maintained their liberties under a system which Mr. La Follette would introduce *in a limited way* into the United States. Can "Hell and Maria" Dawes dismiss this proposal, then, as merely the wild theory of a "master demagogue"?

The Nation is under no illusions in regard to the wisdom of Congress or the tolerance of majorities. It is sure that Congress would occasionally abuse such powers as Mr. La Follette would give it, if it had them. We think, though, that Congress would not often overrule the Supreme Court. It does not now pass much legislation over the President's veto. It would override the Supreme Court far less often, since the decisions of the latter come months and years after the passage of an act, when passions have cooled and personalities are forgotten. We think, too, that the possession of such powers in Congress would do much toward leading the Supreme Court toward more progressive views.

Finally, we would observe that freedom for the individual and respect for minorities have no security either through Congress or the Supreme Court except in so far as there is a compelling spirit of liberty and tolerance in the community behind them. Our war-time espionage law plainly violated the constitutional guaranties of free speech and a free press, but it was upheld by the Supreme Court because the spirit of our people condoned such violation in the hysteria of conflict. Alexander Hamilton said of the freedom of the press, and it applies to all liberty:

> Its security, whatever fine declarations may be inserted in any constitution respecting it, must altogether depend on public opinion and on the general spirit of the people and of the government. And here, after all . . . must we seek for the one solid basis of all our rights.

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It's a Way We Have in the Army

PAXTON HIBBEN is not an officer in the regular army. He is not earning his living under the War Department nor at the present time subject to its orders. He served with credit as a captain during the European War, and is willing to hold himself in readiness for future duty to the extent of remaining in the Officers' Reserve Corps. Must he, therefore, refrain from expressing views contrary to those held at any moment by the chiefs of the War Department or in opposition to the official attitude of whatever administration happens to be in office?

On May 28, 1923, Captain Hibben was examined for promotion in the Reserve Corps by a board of officers who recommended that he be made a major of Field Artillery. But Captain Hibben was not promoted. He had been engaged in relief work for Russian children, and had publicly expressed himself in favor of the recognition of Soviet Russia. On the basis of a report by William J. Burns, then chief of the infamous and now happily defunct Bureau of Investigation of the Department of Justice, the Secretary of War ordered General Bullard to conduct an investigation into the fitness of Captain Hibben for promotion. A board of officers assembled last October, but upon Captain Hibben's demand to be informed of the charges against him the inquiry was dropped and his request to see the papers in the case was denied on the ground that it would be prejudicial to the Government. On May 15, last, Captain Hibben asked for a Court of Inquiry, the legal method of proceeding. This was denied, and instead another board of officers was appointed to make an inquiry. Its sittings have just been concluded.

"This is not a trial," said the head of the board, Brigadier General William Barclay Parsons, with destructive frankness. Then what was it and why was it? The admission was a confession that the proceedings were extra legal—if not illegal—and that the War Department was going beyond the law in the effort to injure a man who disagreed with it. As at the previous inquiry, there were no charges. The hearing was frankly an inquisition. Nor did the head of the board conceal his bias. He said:

> Mental characteristics that would not in any way affect him as an individual or associate might well serve to disqualify him for exercising command over other men. The very friendships that a man makes, entirely harmless in themselves, might be such as to cause doubt in the minds of men under him and of superior officers as to whether an officer with similar connections could be relied on to act with requisite firmness in suppressing a rising against the public peace or proceeding against a particular enemy.

Captain Hibben, on his part, admitted his sympathy with the labor movement and his intention to vote for La Follette. Standing on his right to hold and express his own views as a citizen, he quoted Woodrow Wilson:

> Our life has changed and our politics are belated. Those who insist upon undertaking adjustment, those who argue that our laws should be brought up to date—to the date marked by our economic advance and change—are called radicals, not because they would change facts, but because they would adjust the laws to the facts.

These were his views, said Captain Hibben. "I do not call this communism; I call it common sense. I do not call it socialism; I call it sanity." The makers of revolution were not those who faced the issue, he continued, but those who denied it.

Captain Hibben and his counsel, Colonel John J. Bradley of the regular army, deserve all thanks for their effort and courage in fighting this case instead of letting it drop, as the War Department would like. Since the recent hearing was not a trial, there will be no public verdict and possibly not even any official action. But the issue is in a sense settled already. If officers of the Reserve Corps are to be subject to inquisition for their political and economic beliefs, the self-respecting and independent minded will soon get out. Neither the opinions nor the services of the dregs that remain will be of enough value to raise any controversy.

Automobile Ups and Downs

THE failure of the Lafayette Motors Corporation and the sale of its assets is another reminder that not all who embark in the motor industry reap enormous rewards. Where Henry Ford, the Dodge brothers, and some others have won huge fortunes, there are plenty who, like the Lafayette stockholders, have practically lost all they put in. There is a long list of once well-known cars which are no longer being produced or have fallen into obscurity. For instance, the Winton, which is widely believed to have been the first American gasoline car, is no longer being made; the Simplex, the Crane, and the Liberty are, we understand, no longer being manufactured, while others that were once leaders have dropped out of the running. Still other well-known companies, like the Locomobile and the Peerless, have had their financial troubles; and the Pierce Arrow has found it necessary to produce a considerably cheaper car, precisely as the Packard put its "single-six" upon the market several years ago.

Indeed, this action of the Pierce Arrow and the failure of the Lafayette seem to prove that the field of the very expensive car is extremely limited. The multi-millionaires have their Rolls-Royces and enough costly American cars to choose from. But the bulk of motor-car owners are naturally purchasers of much cheaper vehicles. Hence this is the day of the moderate-priced car. It is precisely in the $1,500 to $2,200 class that we have witnessed great mechanical improvements in the last few years, notably in the motors themselves. Take the Buick, for instance. Once a mediocre product, it is now so good an automobile that one wonders whether the General Motors Company has not unwittingly injured the market for another of its cars, the Cadillac, by making such excellent Buicks. That the public appreciates a medium-priced car is shown not only by the huge Buick sales but by the phenomenal success of the Chrysler car. Brought out only last spring, the latter, which was sold at first on the reputation of the skilled engineer who gave it its name, is now in no further need of artificial "boosting." It appears to be selling itself.

But success brings dangers with it, and it will be interesting to see if this car, which apparently demonstrates, like the Flint, that there is always room for one more automobile, will avoid the errors which have wrecked so many other companies. The constant changing of types of motor, the failure to keep up standards of manufacture, with a large product, and the effort to put profits before anything else, together with waste, extravagance, and un-

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even workmanship, have proved the undoing of high hopes. Competition, too, has its effect. If one looks at the Stock Exchange prices for motor-car stocks it is plain that to produce a car is not by itself to guarantee riches. Thus General Motors common sells at 14¾, Hudson Motor Car at 29, Jordan at 31, Pierce Arrow at 10 (preferred 34), Studebaker at 39, Moon at 22, while Nash Motors shines at 129. Yet the demand for cars seems to keep up amazingly and the saturation-point is not yet reached. Reports from the West declare that even the tramps now have their Fords and that the "gas hobo" has appeared in the wheat-fields, where he works for a few days in one place and then travels on, not by stealing rides on freight trains but in his own car! Statisticians report that among motor-car owners are many with incomes of only $1,500 a year. What will happen to our roads and our cities when those who have $1,000 a year take to driving? In view of the existing congestion in our inadequate streets and of the skyscraper garages which are already rising to meet the lack of parking space in some cities one wonders what revolutions the motor car still has in store.

When We Spoke "Pieces"

THE passing of the "piece"-speaking is vividly signaled by the news that William W. Delaney, who for more than thirty years has been publishing books of popular songs and recitations from his shop on New York's Park Row, is winding up his business. In the generation that he has been publishing Mr. Delaney has issued eighty-nine song-books and eleven volumes of recitations.

Sentiment flows and pours and gushes out of Delaney's Recitations No. 1. Several selections from Longfellow ("A Psalm of Life" and "Excelsior," for instance) appear in this first volume, while Will Carleton is represented by "Over the Hill to the Poorhouse," "Betsy and I Are Out," and other favorites. But to a large extent the selections are anonymous; they are waifs from the newspapers or magazines of the day, whose authors are unknown or at least uncredited by Mr. Delaney. "Guilty or Not Guilty," for instance, tells the story of "a creature wan and wild" brought before "the bar of justice."

"Your name," said the judge, as he eyed her with kindly look yet keen—
"Is Mary McGuire, if you please, sir." "And your age?" "I'm turned fifteen."
"Well, Mary," and then from a paper he slowly and gravely read,
"You are charg'd here—I'm sorry to say it—with stealing three loaves of bread."

Then Mary:

"I could get no more employment, the weather was bitter cold.
The young ones cried and shivered—(Little Johnny's but four years old).
So, what was I to do, sir? I am guilty, but do not condemn.
I took—Oh, was it stealing?—the bread to give to them."

Whereupon, of course, tears sprang to the eyes of strong men, the judge "cleared his throat," a collection was raised, and Mary was set free. Other sentimental classics preserved in Mr. Delaney's first volume are "The Face on the Floor" (elsewhere commonly called "The Face on the Barroom Floor"), "Asleep at the Switch," "Woodman, Spare That Tree," and "Christmas Day in the Workhouse"—the latter by George R. Sims, a former popular favorite now forgotten.

It is surprising to note the number of popular recitations which are anti-liquor sermons. Evidently the anti-liquor crusade of those days was much more a moral appeal than in recent years when emphasis on economic aspects finally brought prohibition to pass. Certainly there is a moral fervor that our twentieth century has never touched in "One Glass More," "Please Don't Sell My Father Rum," and "The Lips That Touch Liquor Must Never Touch Mine."

You are coming to woo me, but not as of yore,
When I hastened to welcome your ring at the door;
For I trusted that he who stood waiting me then,
Was the brightest, the truest, the noblest of men.
Your lips on my own when they printed "Farewell,"
Had never been soiled by "the beverage of hell";
But they come to me now with the bacchanal sign,
And the lips that touch liquor must never touch mine.

But though, heartbroken, she sends him from her door, there is hope:

If one spark, in your bosom, of virtue remain,
Go fan it with prayer till it kindle again;
Resolved, with "God helping," in future to be
From wine and its follies unshackled and free!
And when you have conquered this foe of your soul—
In manhood and honor beyond his control—
This heart will again beat responsive to thine,
And the lips free from liquor be welcome to mine.

Delaney's Recitations No. 2 is devoted to the comic spirit. Thumbing through this volume it appears that in the 70's and 80's it was a wild and hilarious adventure for a young man to kiss a young lady not of his own family. The popular stage settings were a hammock, a buggy, or a dark veranda. Other popular topics for the wits—in those far-away days before Ford jokes had been invented or the five-foot shelf of bootleggers' humor had appeared—were tramps, baseball, pugnacious dogs, crying babies, red-headed girls, landladies, widows, Germans, and Irishmen (the latter usually named McGinty and possessed of either a goat or a pig). Poems about Germans and Irishmen were invariably in dialect—so-called. Parodies appear to have been immensely popular, especially those in the German dialect of Charles F. Adams.

Oh, yes, and mules—kicking mules. They were a great boon to the comic poets of our fathers. The epitaph of one such beast sets forth:

He never did a decent thing, he wasn't worth a ducat;
He kicked and kicked until he died, and then he kicked the bucket.

Another and more appreciative commentary on the mule tells how one once weathered a storm which beat upon him in the hope of taming his defiant spirit:

The mule he budged not an inch, but kept a stiffened lip.
And raising of his tail aloft, said, "Storm king, crack your whip!"

Whereupon

The lightning danced a gallopade and seemed to say "Thou fool!"
And then shot out vindictively and struck that cussed mule.
! ! ! ! ! ! ! ! !
And this was years and years ago—since when it's been a rule
Of lightning and the elements to fight shy of the mule.

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Wheeler Invades New York

By OSWALD GARRISON VILLARD

"WHO," asked a speaker at the Cooper Union meeting, "is John W. Davis?" Whereupon a voice from the back of the hall answered amid much laughter: "Adolph S. Ochs." If there is, perhaps, some reason for this confusion of identity, no one would, I am sure, answer similarly as to who is Burton K. Wheeler, Senator from Montana; for Adolph S. Ochs's New York *Times* has described him to all the world just as he is and informed us that he, of all the three vice-presidential candidates, is "most likely to harm his own cause." This we learn is due "to his violence of speech, his recklessness in personal attack upon President Coolidge and others, his too great willingness to blow his own horn." Having for years been thoroughly familiar with just what radicals and Socialists think, the *Times* goes on to assure us that "even radicals and Socialists desire a certain amount of dignity and discretion in their candidates for high public office"; and again cheerfully concludes that "Senator Wheeler bids fair to disquiet his own assured supporters and to repel any who might be won over by sounder arguments and better manners."

Now, I was tremendously relieved when I read this description of the fighting Senator from Montana because I had begun to feel that, as usual, there was something seriously wrong with my powers of observation as well as with my facts and my point of view, for I had been traveling some days with the candidate for Vice-President on the La Follette ticket and somehow I had gained a totally different idea of this man. I had seen a quiet-voiced, earnest person rise and go to the front of the platform and speak from half an hour to an hour and a quarter without the slightest effort at oratory, without a single one of the traits usually associated with one's conception of a demagogue. He made no effort, this violent and reckless radical, to stir the passions of his fellow-men, according to my observation. He did not bellow and rant, while his gesticulations were few and not graceful. He made no effort to vary the tone of his speech and failed to work up to a single climax. I realize now, thanks to the *Times*, that what I took for simplicity and unstudied and uncalculated speech was simply the extraordinary skill of this man in eschewing the usual methods and thereby throwing his auditors off the track. I see now that it was art raised to the n^{th} degree, an art that Sarah Bernhardt might have envied, an art that is more calculated to stir the hearts of his hearers to mutiny and rage than any effort to split the ears of the groundlings.

Yes, this is a dangerous man. Especially, after reading that editorial I could see what the *Times* meant by the recklessness of Senator Wheeler's personal attacks upon President Coolidge. It is true that I remembered that only a few days previously the *Times* had been girding at those Republicans who protested because John W. Davis assailed the President in his speech of acceptance. But then, of course, it makes a great difference on what ticket you run as to how one portrays or criticizes or defends a man's manners and methods in campaign times. If I had not been informed otherwise I should have stated that I heard him speak on an average of three times a day for a week and that I never once heard him blow his own horn, or use the personal pronoun except to poke fun at himself as often as he told of what he had accomplished. In my folly I thought I had never heard a man speak so often with so little trace of egotism. Again and again he assured his audiences that he was not there to appeal on behalf of himself, but on behalf of La Follette, the leader, and the cause. That, of course, I know now, was devilishly sly work to conceal his own passionate ambition for office, his own lack of courtesy and manners.

It is dreadfully reckless, I see now, for Senator Wheeler to point out that President Coolidge has never lifted a finger to help the investigators, but has done everything to hinder instead of help; for the truth is often an unmannerly jade. It was certainly rude and ungentlemanly of him to [illegible] repeatedly and satirically upon the "strong, mythical, and silent man" in the White House, and to tell a most impolite story about the foolish boy whose father counseled him to say nothing lest his foolishness be found out; and who was called a fool none the less when he declined to answer questions. That must have been hitting below the belt. And yet somehow even that seems to my dull mind as rather tame stuff to come from the conventional Montana cowboy kicking his spurred heels together as he leaps in the air to shoot off an oratorical pistol in either hand.

But the puzzling thing remains that the audiences which came to hear this violent and reckless person, who hardly ever raised his voice, remained to the bitter end to hear him. One forgets a good deal, of course, between campaigns, but it seemed to me that I had never beheld more interested faces than were upturned to this slow-spoken artist as he told the dramatic story of what his investigation of the office of Harry M. Daugherty had actually brought out. Perhaps it is the completest tribute to his artistry that the tenth time I heard him tell that story I listened with as much fascination and interest as I had the first time. Certainly at Rochester only a few of the 2,500 people who came to our meeting, which did not begin until nine o'clock, had left when the Senator stopped talking at twenty minutes past eleven. I caught myself saying: "If everybody in the United States could hear this man talk the vote would be unanimous for him and La Follette"—and then I remembered the hopelessly lost vote of the New York *Times*.

Then I must confess that we found we had lost another equally important group vote—the undertaker vote. At Watertown the meeting began late too. Our friends had first engaged the Odd Fellows Hall, but when they went to the undertakers to hire chairs there were none to be had. Curiously enough, each undertaker was undertaking a funeral or a wedding or a dance at that very hour on that very night, and so no radicals could sit on their chairs. So we were moved to the high-school auditorium and there the Senator told his amazing story in the same quiet tones to the people who came to hear him. There were some judges and some lawyers in the audience, but in the main they were simpler people, a part of the minority in as

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rock-ribbed a Republican district as is to be found in New York State, a representation of a great mass who know that there is something wrong with the country, who want to find the way out, but who, for the most part, are still in the thraldom of party, are still poisoned by a press which brands everything new and progressive as radical and dangerous.

They were much the same, these audiences, at Albany, Troy, Schenectady, Utica, Syracuse, Rochester, Buffalo—wherever we went. Usually the gatherings were small, often outdoors in cold and rain, the advance work being not always skilfully done, for the La Follette cause is, thank fortune, without the professional worker, experienced in getting up great mass meetings with plenty of money for red fire, bands, banners, and newspaper advertising. But the quality of the men and women in the audience, their earnestness and sincerity, the fact that numbers came to be converted, and the resultant newspaper publicity made the trip stimulating to us. It was something to sit in the railroad trains and have the plain-spoken trainmen come up and shake hands with the Senator, wish him the best of luck, tell him how their lodges stood, and what the travelers' sentiment was. It was pleasant to learn from them that though the Brotherhood of Railway Trainmen has officially not indorsed the Progressive ticket most of its members, in some places all of its membership, will vote for La Follette and Wheeler. You got a sense of ruggedness in the men; the absence of boastfulness, or of absurd claims as to carrying this or that district, all made you feel that this movement has its roots deeper in the soil than any similar movement has had. Rightly or wrongly this campaign is distinctive in that it has come from underneath.

These earnest people who came to hear us understood and appreciated the speaker. They felt his leadership and they gave him the response of absolute attention and complete absorption, which are the highest tributes that can be paid to a speaker. They are not vocal; they do not find it easy to voice their desires and their needs, but the stirrings are there, and no one who left the Wheeler meetings could have any doubt that the auditors are not to be bought off by higher prices of wheat or any other temporary fluctuation in the prices of crops or of goods. The knowledge that something is very wrong has gone far. The only two questions are as to the leadership at hand and how the message of the new leaders can be got to the public. From the point of view of both these questions the Wheeler trip was a profound success.

Upon one thing everybody was united—trainmen, A. F. of L. leaders, newspaper men, business men, all whom we met—that John W. Davis is hardly in the picture; that it will soon be necessary not only to advertise for his whereabouts but to assure people that he is really in the running in New York State. Of course, it is a little early in the campaign, but we did not see a banner or a picture of Davis or a Davis badge or any local Davis publicity in any of the towns we visited. On the contrary, we were repeatedly assured that Davis would poll so small a vote as to be a negligible factor. On the other hand, in Rochester newspaper men and Democratic politicians, speaking separately, gave La Follette nearly one vote in every four of the 100,000 that are likely to be cast in the election. There are certain towns in the southern tier in New York County in which labor is in control. It will carry those towns for La Follette. The audience of 6,000 persons at Buffalo affords ground for the belief that an amazingly large vote will be polled for the Progressive ticket in that city. The work of education has begun; the fight for economic liberty is well started.

But always my mind goes back to the so-called rampant demagogue with whom we traveled, never out of patience, never concerned about his dignity, or the honors due him; always quiet, modest, unassuming; always full of anecdotes and reminiscences of the arduous struggle of his political life; to him defeat was a commonplace and victory a stimulating experience. Somehow or other to my foolish vision, his is a remarkably heartening personality, because Mr. Wheeler has proved anew that however bad the situation in Washington, it is still possible for a man of unselfish and shining honesty to come into our public life as a stranger from the West and make a nation-wide reputation for himself within three months. He affords the happy assurance that in a national emergency men of the necessary stature are to be found to lead a revolt against the iniquities in our public life. There is something about him that suggests Henry Clay to me, though Wheeler is without the polish and the education which marked that Kentucky aristocrat. Nature has given him a fine stature, a pleasant and winning smile, a directness which carries its message precisely as his well-modulated voice reaches the hearers in the back of the room, without any effort on the speaker's part.

Meanwhile, Senator Wheeler has jumped to Pennsylvania, and will go on to Ohio and the West. He will know neither rest nor peace nor quiet until Election Day comes with the surprises it has in store for us all. I can only record what I would have written had I not read that *Times* editorial: Wherever Burton K. Wheeler goes, he will make votes, he will stir the hearts and minds of his listeners; and whether those be Republicans or Democrats or radicals or Socialists or reformers of any stripe he will help the ticket, help it immensely, and strengthen in the faith every one who hears his voice.

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Plymouth, Clarksburg, Madison

(The Nation's *Weekly Washington Letter*)

By WILLIAM HARD

IT is amazing how faithfully the three presidential candidates resemble their own respective home towns. Plymouth, Vermont, is capitalistic, democratic equalitarianism. Clarksburg, West Virginia, is aristocratic, hierarchical, rank-upon-rank, Jeffersonian, emotional democracy. Madison, Wisconsin, is sociological, statistical, dry-as-dust research and barking, under-dog radicalism, arm in arm.

In Plymouth nobody is really rich, everybody is equalitarian, and everybody believes in ground-rent, interest, and dividends as devoutly as Mr. Morgan ever could even if he stretched himself. There is a lovely story about a Western traveler in a Vermont town who was bragging to a gaunt starveling native about the fertility and bounteousness of the fields in his Western State. He derided the boulder-strewn sterility of the Vermont hills rising before his eyes. The native rejoined: "I wish I could collect some of my interest on my mortgages in your State."

Calvin Coolidge does not need to be asked by Wall Street to believe in interest or to believe in the indefeasible and irrepealable right of a man to hold what he has and to part with it only on his own terms. It is hard to persuade a Vermonter that if you hold a thing which is worth "x" dollars until somebody is willing to give you "x plus seven" dollars for it anything has happened that is anybody else's business. When Calvin Coolidge's writings are read by posterity, the grammarians who may be assigned to count the occurrences of the word "profiteer" in them will have little to do.

You keep or you sell, and you stay poor or you get rich, and everything may come out to be terribly unequal from the standpoint of economics, and yet everything is—and must remain—absolutely equal from the standpoint of personalities! Personal democracy and no economic democracy, social democracy and no sociological democracy—that is the drift of the temper of Plymouth and of Coolidge.

Davis and Clarksburg are more difficult to state. Yet Davis is as truly Clarksburg as Coolidge is truly Plymouth. Plymouth is a unity. Clarksburg has social strata. Rough-stuff miners come into Clarksburg. It is in that way industrial. Its miners and its other rather rough-stuff frequenters have a certain link to the mountains. In the mountains there are hill-billies. They are thought to be rough-stuff indeed. In the very center of Clarksburg, however, there is an old mansion with a large lawn in front of it, serenely holding at bay all commercialism, all industrialism, all roughness.

Clarksburg is rougher than Plymouth. It is also more urbane. Davis comes from the urbane part of it. He comes from what in a moment of frankness might be called the upper part of it. In Plymouth there is no upper part. In Clarksburg there is. Davis comes from it, quite outstandingly.

Is he therefore more capitalistic than Coolidge? Not at all. Clarksburg, being located where it is, has the Jeffersonian touch. Clarksburg can both recognize the existence of aristocracy and at the same time call everybody by his first name and start off on great crusades against capital—Eastern capital.

These Eastern and Northern capitalists who fatten off the tariff! Davis is just as much against them as if he had never seen New York. He comes from Clarksburg. He also is emotionally, personally democratic. Plymouth people are equals who do not speak. Clarksburg people are unequals who throw their arms about one another. Davis accordingly thinks that probably something ought to be done about hill-billies and Nebraska farmers who are having a bad time in comparison with Wall Street capitalists.

Coolidge's idea of helping a pauper is first to lower his taxes and then to hand him a tract telling him to have faith in Massachusetts—or Nebraska—or himself—or anything except the federal Government. It is not merely a difference between two men. It is a difference between two towns, two cultures.

Madison, Wisconsin, meanwhile is a garrison of statisticians who would burst the heads of the simple inhabitants of Plymouth or of the genial inhabitants of Clarksburg. Political and social progress through statistical and sociological research: that is an idea that never occurred to Plymouth or Clarksburg.

Put-'em-in-the-Brig-adier General Dawes says that La Follette is a demagogue. This makes La Follette all the more wonderful. He then becomes the only demagogue who ever carried in his wake whole card-catalogues of scientifically arranged research and information. The companies and regiments and divisions and corps and armies of researchers now encamped in Madison in the Wisconsin State University and in the Wisconsin State Capitol owe a very large part of their encampment to La Follette. He wanted Madison to be that way. As Governor of Wisconsin he insisted on making it that way.

These researchers have studied cows, alfalfa, unemployment, the number of workmen's thumbs lost in industrial accidents in machine-shops, water-power, the value of unoccupied lots in Milwaukee, stream-flow, the Irish tenant system, the reforms of Tiberius Gracchus, taxation in Yucatan, and every other subject in the world with an eye to its applicability to that great supreme world-theme, Wisconsin. La Follette was pretty nearly the inventor of this!

Madison was perhaps a bit that way before him. He made it that way exuberantly, triumphantly. The fate of the rebellious, radical low-brow determined in legislation by the scholastic, specialistic high-brow! That is the idea which La Follette—more than any other man—has contributed to American life. The scholars working for this demagogue La Follette would make Brigadier General Dawes—if he were not, for compensation, a splendid violinist and a true artist—look like a camp cook.

Three men; three towns; three cultures; three automatic—in this writer's view—sincerities. We choose between the sincerities and the cultures as we choose between the men.

One difference between the men remains. Coolidge and Davis are products of their towns. They are products. La Follette, besides being a product of his town, also produced it. His demoniac vigor, for woe or weal, shows nowhere more clearly than in this: he is the only candidate who was not only made by, but made, his home town.

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Jim Denson—A Fragment of History

By SARAH N. CLEGHORN

I TOOK up the Macon *News* one winter afternoon from the steps where the newsboy had hurled it, and read on the front page an account of the bringing of a Negro boy named Jim Denson on the previous day from Wilkinson County to Bibb County to save him from a probable lynching. He had just been convicted, in his home county, of the rape of a white woman seventy years old. He was to be taken back there and hanged on the following Friday.

The feature in this story that had evidently most impressed the reporter was that the nephews of the injured woman had protected Denson from the mob, and had stood throughout the trial as the firm friends of law and order. And this impressed me, too; but I was even more impressed by another feature of the story, namely, that no defense whatever had been made for the prisoner. (It goes without saying, of course, that he had not been confronted in court with his alleged victim.) The judge had indeed appointed a lawyer to defend him, since he was without either friends or funds; but this lawyer had contented himself with saying that the defense had nothing to say.

So much for the Macon paper's account. I was going to the jail on the following day with some pie and oranges for the prisoners, many of whom I knew quite well. I visited the baker's on Cotton Avenue, and went to the jail with my basket of lemon and apple pies. The warden, or jailer, as he is called, let me in with his usual friendly greeting, and I walked along the narrow corridors in front of the cages chatting with my friends of both colors as they chose the pie they preferred and their favorite magazine from my armful of second-hand ones, or asked for a stamped envelope or postal card. There were in the Bibb County jail that winter a number of white men accused of murder, awaiting trial, or having been convicted and sentenced for life, or less, awaiting transportation to the State farm; or else either hoping for a new trial, or awaiting it when it had been awarded them. None of these men, most of whom had shot some person after a quarrel, was under sentence of death; the hanging machine, which I had been shown on my first visit to the jail, was not overshadowing my heart as I talked to them. There were also one or two Negroes in the jail who had been convicted of murdering other Negroes, and these also had been sentenced for life. Jim Denson, accordingly, was the only person in the jail under sentence of death; and I thought he would be, perhaps, in a cell apart.

But when, upon leaving, I asked the warden if I could see him, the warden answered: "Why, he's right in there with the other boys—you've walked right past him, and given him pie."

"Oh! Can I go back, then, and speak to him?"

"Why, sure. He's going to be hung Friday."

I was let in again. I walked along the front of the colored men's cage, on the lowest level, and said: "Which is Jim Denson?"

"Over there, ma'am."

"Are you Jim Denson?"

"Yes, ma'am."

"Oh! How old are you?"

"Eighteen."

"Who belongs to you?"

"I've got a father living."

"What church do you belong to?"

"I don't belong to no church."

"Can you read?"

"No, ma'am. Never been to no school."

I asked him to tell me about his trial.

"They voted to hang me Friday."

"Did you speak in court?"

"No, ma'am."

"Why didn't you?"

"Nobody done told me to."

"Jim, what made them arrest you?"

"I don't know. They just took me."

Jim Denson looked like a stone. He spoke without modulation. If a stone could be imagined speaking, he spoke like a stone.

"When they carried me over here," he volunteered, "some of them done follow me with a coffin."

"Don't you want a minister to come and see you? A colored minister?"

"Yeass'm. I wishes I could see my father."

"Where does he live? I'll write and ask him to come."

"I wishes he would."

I went to see a Negro clergyman the next day—a stranger to me until that time. He said: "Yes, I know of Denson's case. I think probably a lawyer will be retained for him."

"Are you afraid," I asked, trembling, "that if any attempt is made to defend him, it will rouse a mob, and he will be taken out and . . . burned? Is it kinder to let him be mercifully hanged as soon as possible, whether he is guilty or not, for fear . . .?"

"No, no. I think you exaggerate that danger," he replied.

"I hope I do!" I cried.

"I think you do," he repeated steadily. "But of course it exists."

There was a modest sum raised, among people all strangers to this friendless boy, for which a famous lawyer undertook his case. When I went to the jail with oranges and doughnuts on the following Saturday, Jim Denson was still there.

"I'm glad you have a lawyer," I said. "I hope you can prove to everybody that you didn't do it."

"I hopes so," said the young stone face before me. "I wishes I could see my father."

"Oh—hasn't he come to see you? I wrote to him."

"No, ma'am. I wishes he would."

This wish, never gratified by so much as a message, was the only one Jim Denson ever expressed twice, in his talk or letters to me. One other wish he did express once—a wish for a pair of shoes.

"There is," he dictated to one of the ever-shifting fellow-prisoners who wrote his letters to me, "there is some wealthy boys in here, who has offered me their shoes, but

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my feet is too big. I wish, ma'am, you could send me some."

His case was slowly carried up, from court to court. The summer came on, and I went home to Vermont. The autumn passed, and Jim Denson was still saying, in the ever-changing handwriting of one after another of his fellow-prisoners: "I hopes you are in good health, as I am. I am trusting in the Lord to see me through. My case is not decided yet. Thank you, ma'am, for the ten cents you done inclose me for ice cream."

The second winter passed, and his application for a new trial was steadily refused by every authority having jurisdiction. One of his white fellow-prisoners, a man I knew well, who had shot and killed his neighbor in a boundary-and-trespass quarrel, had by this time had three trials and was out on parole; this left Jim Denson his successor as the inmate then longest in the jail. "There is none of the boys here that remembers you," he wrote. "There was one here when your letter came, and I done remembered you to him as you said to. He went to the chain gang this week. My case is not decided yet. I am trusting the Lord as well as I can. The captain" (so the Negroes usually call the warden) "is kind to me, and thank you, ma'am, for the dime you done send me for pie. My health is good."

His health was good! When I had lived in Macon, the sheriff's rule had been never to allow any of the prisoners to step out for a single instant into the fresh air. Once I had seen some prisoners in the narrow yard, lounging along the whitewashed wall, gazing at the coal-heap, talking. They were federal prisoners, moonshiners; for the United States allowed its charges a little air every day.

The second summer passed, and in reply to an inquiry Jim Denson's lawyer wrote to me: "If you can help when the case goes to Washington, I will let you know."

The autumn passed, the winter came on, and Jim Denson began his third year in the Bibb County jail.

"Your letters are a comfort, ma'am," he wrote. "I wishes I could see my father, or hear from him. I has written him a number of letters, but gets no reply. The Lord will see me through my trouble. I am going to be baptized."

Presently he sent me a clipping. The Supreme Court had refused him a new trial. There was now no way in which this boy, who had been sentenced to death without a word of defense being spoken for him, could ever have a word of defense spoken.

"My lawyer say please, ma'am, write to the Governor and Prison Board of Georgia. Captain Tom is good and kind to me. He say he will have me some better clothes when they carry me back to Wilkinson County to sentence me over again. I have been baptized."

In this next letter he inclosed a long clipping from the Macon *Telegraph*. It was headed:

DENSON RECAPTURED AND BROUGHT TO THIS JAIL
NEGRO YOUTH IS CAUGHT BY DOGS NEAR IRWINTON
EXCITING CHASE IS HELD
MAKES FRIENDS WITH DOGS

Two or three dozen white men, said to have come from the neighborhood of Toombsboro, Denson's home, had besieged the county jail at Irwinton as soon as Jim Denson was taken back there after being sentenced to die on the 16th of June. Sheriff Player stood them off for an hour, the *Telegraph* said, and indeed only yielded when he fell, wounded in the foot. They then swarmed into the jail and took the prisoner. "They tied a rope around my neck," Denson said to the *Telegraph* reporter. "They put me in the car, the second to the last one in the line. It was a two-seated Ford, and Mr. Brown, dressed in white pants, had hold of the rope. . . . I kept smelling liquor. . . . The rope around my neck was tight . . . I felt the knot with my hand. . . . It was a slip knot."

He slipped it off, and lifting up his feet, shot himself feet first over the side of the car. He struck on his feet, and was flung on his head in a ditch. The bullets from the car went wide. This was on Monday, the 22d of May.

All that night and the next day there was a posse of deputized sheriffs hunting him, with a son-in-law of the woman he was accused of assaulting among them. All that Tuesday Jim Denson was attempting to reach the sheriff of Wilkinson County, or else the Bibb County authorities, in a hope to save his life by surrendering to them. He dared not try to surrender to anyone else, for once when he had attempted it the farmer whom he had approached had shot at him, and he had fled on all fours to cover again.

The posse, torn and panting, followed three bloodhounds which had found the boy's trail. But when the hounds came up with him, he made friends with two of them, and had them following him in friendly fashion when the barking of the third dog, which he could not tame, led the posse up.

When he was manacled once more to the sheriff, Jim Denson was glad. In this green world, in the beginning of life, this young son of a golden-hearted race was glad to think that his white fellow-Americans, who had never sent him to school, who had condemned him at seventeen years of age to die after asking him to waive his legal rights to plead for his life, and who had steadily refused for three years to give him any possible chance to prove his innocence in court, would now lock him up again in a cage.

As the party came into Irwinton, the reporter said, a crowd came out to meet them. The sporting spirit of the master race seemed to have been aroused, and they began a movement at once to request clemency from the Governor. As they passed the gallows which stood in the rear of the Wilkinson County jail, Jim Denson said to the reporter: "Boss, you guess I'll ever hang?"

The crowd shouted, "No!"

It seemed as if there was a little hope, and yet, when we remembered the two attempts to lynch him, it scarcely seemed possible that Governor Hardwick would do more than grant a reprieve to reconsider, and then "let the law take its course." A commutation of sentence would cause a great deal of anger, and editorials would point out how this very commutation would prove an encouragement to lynching; and read in quarters where moonshine was plenty, these editorials would be enough to keep the old sport alive. And though people, in the first divine enjoyment of letting themselves be human, honestly and even warmly desire to befriend prisoners, those of us who have ever tried to mobilize their emotion know well how soon the undertow of caution runs back through it. They feel the "risk" of setting their names to a petition for mercy, and are not sharply aware of the risk they take in refusing to do so. If a man is accused of a horrifying-enough crime, people tend to think he must be guilty.

On the 14th of June, two years ago, I sent a night letter to Jim Denson, hoping against hope. On the 15th, I suppose, he was taken back to Irwinton to be hanged. On the 16th he was hanged.

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"Ask Your Banker"

By H. G. ANDREWS

"WHEN in doubt, ask your banker." That is the rule laid down in all the financial copy-books for the guidance of the timid thrifty, who are supposed to be satisfied with safety and 5 per cent. Investments which pay 10 per cent or 12 per cent, 25 or even 50 per cent are taboo, being the perquisites of the banking fraternity.

If in doubt on that score, follow the rule: Ask your banker. Tell him you have an opportunity to invest a thousand dollars in a highly attractive business proposition, which is almost certain to pay 6 per cent from the very first. By the third year, it may be paying 8 per cent. And by the fourth, 12 per cent. After that, nobody knows; 75 per cent is not beyond the possibilities.

What does the banker think about it? You are anxious for his opinion. Before you have had time to finish the verbal prospectus the banker will say, in a patient, kindly superior sort of way: "My good man, don't you know that 12 per cent and 24 per cent annual dividends are bait put out to catch suckers? There is no such thing in sound, conservative business. Ventures which pay more than 6 per cent at the outside are risky—very risky."

Then, perhaps as an afterthought, the banker may inquire: "And in just what sort of a fly-by-night scheme are you thinking of wasting your money?"

That is your opportunity. Properly rebuked, you can reply mildly: "I was thinking of buying some stock in a bank."

That is the signal for the banker to sputter. He will probably tell you you have been deceived by the outpourings of a few ignorant radicals who know nothing about banking, which is a highly technical business, in which only the best minds can hope to score even a moderate success.

But hold your ground. The situation has its points of interest. For banking, it would seem, is the one best bet for the mediocre intellect. Banks are scattered around the country like currants in a bun. The baker, the butcher, and the candlestick-maker in Possum Glory can start one. And it will go, unless someone deliberately walks away with the funds given to it for safe-keeping. The druggist, the local Republican and Democratic bosses, and the leader of the local cigar workers' union in Bird-in-Hand can start a bank. And it will go. Indeed, banks have survived even when dishonest cashiers have pilfered them for years.

And banking is safe—just about twenty-seven times safer than a grocery store, a shoe shop, or a meat market. Safe—and profitable. So profitable that it is a "blue-sky" business. In many cases a bank is a Ponzi dream come true. For 50 per cent, 60 per cent—even 300 per cent on the original investment are quite within the possibilities.

In 1917 the Treasury Department made out a report for some inquiring senators who wanted information concerning corporate earnings and government revenues. In this report fifty-six banks were listed which pay annual dividends in excess of 50 per cent. In 1923 the average dividend paid by 8,238 national banks was 13.48 per cent.

Place these facts before your banker, and by the time you have finished he will have caught his stride and be prepared to point out the fallacies in your reasoning. Dividends, the banker will say, are paid on the basis of capital stock and not on the basis of invested capital, which is capital stock plus the accumulated surplus. A New York bank paying a 50 per cent dividend illustrates the banking contention. The capital stock of this institution is $10,000,000, which would indicate a dividend rate of 50 per cent a year, since $5,000,000 is returned to stockholders annually. But, says the banker, capital stock represents only a comparatively small part of the total capital invested. The surplus of the bank which pays these 50 per cent dividends is in excess of $55,000,000. That, says the banker, makes the real dividend approximately 7.7 per cent.

The unsophisticated investor, however, is less devious in his reasoning. Surplus to him represents earnings—which belong to the stockholders. A bank with a $55,000,000 surplus can go out of business any time it wants to, return the original investment to the stockholders, and, in addition, divide up surplus in accordance with stockholdings. The man who invests $1,000 in bank stock and then goes on about his business takes the view that all the money received by him as a direct result of that investment is a dividend. He holds that bank surplus is simply a delayed dividend.

Thus the returns on bank stock would indicate that banking is at variance with the accepted dictum of bankers—that high returns are permissible only when grave risks are incurred. Banking does not involve grave risks. Taken as a whole, it is the safest pursuit which the business world presents. The banker sits where the tides of commerce meet and takes his certain toll. The certainty with which the banker can dip into the stream of commerce is shown by the fact that the average value of all national bank stock at 100 par was, on September 15, 1923, $219.43 per share.

Without a doubt, there is plenty of "blue sky" in banking. So much, in fact, that if bank dividends were held down to 10 per cent a year on the original investment and earnings over that amount returned to bank depositors, the annual return on that basis would be approximately $125,000,000. That is $2,083,330,000 capitalized at 6 per cent. This means that holding down bank dividends to 10 per cent on the capital stock investment would be equivalent to adding more than two billion dollars to the savings of the depositing public—a job well worth undertaking.

And it is a job which is being undertaken by a comparatively new group which has stepped into the banking arena. During the last two years the so-called labor banks, sponsored and financed by labor unions, have accumulated combined capital resources in excess of $130,000,000. There are some forty-odd labor banks now in operation. The Brotherhood of Locomotive Engineers has a chain of banks, for example, which now stretches from Boston and New York to Spokane, Washington. As so far developed, the labor bank of the American type adheres to only one outstanding principle which sharply differentiates it from the other banks. The labor bank restricts the dividends to be paid stockholders to at most 10 per cent a year.

The limit on bank dividends strikes a very direct blow at the present banking system, which provides for the

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pyramiding of profits. As a result of this, many of the advantages arising through combination or through improved methods or invention have been completely wiped out. Capitalized through the pyramiding of profits, they have become permanent burdens upon the public.

The theory of the profit-sharing labor bank is that the public is a partner in the banking business. Therefore, invested capital in the form of accumulated surplus, says the labor banker, should work in the interests of the depositor, instead of working solely in the interests of the stockholder. There the issue is joined. On the one hand is the group of labor banks intent upon taking the "blue sky" out of banking. On the other hand is the old-line banking crew intent upon retaining all of the special privileges now inherent in the banking business. With the issue joined on that basis, one principle or the other must ultimately triumph. Either the banks which limit dividends to 10 per cent will be driven from the field or all banks will be compelled to accord the depositor the status of partnership. The labor bank, say its proponents, is the cloud, no bigger than a man's hand, which is slowly gathering on the financial horizon. This cloud does not threaten banking; it is a threat only to unlimited profits in the banking business.

The conflict between the restricted dividend and the unrestricted dividend is one which the public must decide. In the past, labor and capital have far too frequently contended as if no third party were in any way involved in their conflict. No chance has been given to the public to make itself felt in a manner at once effectual and final. The labor bank gives it a chance to score. So far the public has flocked to the support of labor banks wherever opportunity afforded. Only 14 per cent of the depositors in the Brotherhood of Locomotive Engineers' banks are locomotive engineers. The depositors—clergy, lawyers, teachers, professional men and women of every kind and degree, clerks, stenographers, and salesmen—represent that portion of the public which has already enlisted in the job of taking the "blue sky" out of banking.

Mrs. Mason Marches

By AGNES BURNS WIECK

MY neighbor, Mrs. Mason, is attending a convention, and a well-earned honor it is. For fifty-two Thursdays she has been drill practicing with her Auxiliary, the Loyal Ladies, thus winning her place on the drill team that was sent to the convention. The convention is the business of the men whose genius has made possible the Order which shelters and protects the Loyal Ladies. For their loyalty the ladies may serve banquets to the men folk, devise money-making schemes, and form drill teams that parade at the conventions. Mrs. Mason's drill team will now vie with many drill teams for some very lovely and alluring prizes. But when her marching feat is over, my neighbor will not tarry long at the convention; for something more alluring than the very lovely prizes has quickened both her spirit and her step these many Thursdays. As she waved me her goodby she shouted back: "Yes, I've got 'em all wrote down —Marshall Field's, Municipal Pier, Michigan Avenue, and Lincoln Park. We'll see 'em all and maybe more, if our legs hold out from all that marchin'." I stood smiling. I have often smiled at Mrs. Mason and her lodges—she's quite a joiner—but I rejoiced with her in her reward for all that foolish, futile marching. After forty years in coal towns, who would not become a Loyal Lady for the chance it offers to escape?

Among these Loyal Ladies my neighbor will meet many of her kind to whom this convention trip is the first vacation after a lifetime at the cookstove. But these submerged housewives will talk not of economic freedom. Nor will they join as equals in the convention of the Order. An auxiliary is an appendage of "just women," and when grave matters are at hand the Loyal Ladies will retire from the convention. In the quiet seclusion of their Auxiliary they may gather as the Loyal Ladies' Aid. But the contest of the drill teams! Ah, behold them!

There is Mrs. Mason's drill team. Who would guess them to be wives of coal miners, so well drilled have they been by the wife of a traveling salesman! Garbed in their uniforms of white, each skirt the designated nine inches from the ground, each heel of each white shoe in proper uniformity of height, these erstwhile housewives step out into their places with the sprightliness of a corps of Red Cross nurses. Their flowing purple surplices add an air of solemnity to the ritualistic ceremony about to follow. Their military caps of white and gold provide the necessary martial flourish, while the large American flags they bear aloft attest the patriotism of women whose husbands have been guilty of defying the injunction of a noble judge. An impressive sight! With pep and dash team after team arrives and each in turn goes into action. Spurred on by the zip and zim of Main Street captains, cheered by hundred percenters from every State in the Union, thrilled by the thought of prizes, each team strives to excel in faultless marching and accurate portrayal of the ritual of the order. The climax of an entire year of practice and preparation. Marching, merely marching, just as little children march in pretty drill exercises at school. Reviewing this superb feat is a man high in the councils of the republic. He has left his busy desk at Washington to gaze upon his handiwork; to this Best Mind redounds the credit of transporting weary wives of workingmen to a national convention where for a time they might forget the trials and tribulations of domestic life and march and wave flags for the glory of the Order.

Mrs. Mason's drill team may not win a prize but I am sure that she will stand out as a commanding figure. Blessed with a strong and vigorous body, she is well equipped for marching. Whether with broom, dust-cloth, or dish-rag, she marches about the house in a most amazing fashion. She marches right through a big week's washing in the time it takes the ordinary woman to get started. To wash, scrub, scour, shine, bake bread, can fruit, prepare supper for a houseful of unexpected company, and be marching off to the lodge by seven is no trick at all for Mrs. Mason. The work of raising her children has left no trace of wrinkles and the pranks of grandchildren do not vex her. She has never known anything but hard work—and her lodges. She would be lost without either.

Mrs. Mason once had an opportunity to go marching

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in a real crusade. Leading a band of striking miners' wives, she marched down a railroad track at an early morning hour to round up certain women whose husbands had not struck. To the mother of eleven children she thus addressed herself, "Are you satisfied with the livin' you're a-gittin'?" To which the woman, a match for Mrs. Mason in physique if not in repartee, shot back, "Yes, I am!" "What are you raisin' your young'ns for?" demanded Mrs. Mason. "Can you give 'em the kind of an education you'd like to?" "My kids go to school, I'd have you know." "Oh, yes, we've still got free schools, but what about a musical education? Out of a dozen, like as not you've got one that's turned that way. Could you educate her in music if she had the talent?" "We've got a graphophone in our house, and we can have all the music we want." "Oh, I see!" said Mrs. Mason. "You believe in gittin' your music out of a box instead of havin' it brought out of your children!"

Is this woman to spend her days marching through her kitchen and her lodge hall? In her husband's union she has an outlet for her ability and spirit only in strike time. Political freedom has brought her no opportunities for education or service. While the Mrs. Sam Clarks and the Mrs. Babbitts and the other ladies of Main Street are flaunting banners, shouting, singing, marching for the glory of their Coolidge and their Davis Mrs. Mason will be left in her kitchen unnoticed and unorganized. Following her husband's lead she will vote in the La Follette column. Only for her lack of training and for the fact that the women's organizations somehow have passed her and her class by, she would be marching in the forces of La Follette, in the same spirit that took her down that railroad track.

A Buffalo Dance at Santo Domingo

(New Mexico)

By WITTER BYNNER

Dawn came—
Not yet before us, where the sun was,
But behind us on a snow-peak.

Before us were the desert-hills,
All the barer for being spotted with pinyons;
And on the ridge,
Clustered black against the cold sky,
Were figures too still to be men.

Behind us, at the open edge of the plaza,
Stood the blanketed singers and drummers:
A thick crescent they were, curving toward a star.
And the star-man was taller than the moon-men,
And taller than he was the staff
Which he raised and lowered in the rhythm of the song,
With a shaking of its top-knot of buffalo-toes.

And then the figures on the hill,
Too still until now to be men,
Ran to and fro, criss-crossing the little canyons,
And changed into men
And changed into boys, into children,
And they came down the brown hill,
Pursuing,
With rests for renewal,
Two buffaloes,
Four deer,
Two elks,
Two antelopes.

And round us,
At a distance from the waiting chorus
Whose song gave welcome to the sun
And to the godly animals,
Were men and women and children of the pueblo;
And a few of them sat on the walls of old roofless houses,
And most of them wore their blankets hooding their heads
from the chill;
And all of them were watching and were silent,
Except the chorus
Which was earth itself
With a song
That followed
The rising and the falling of the hills.

Two buffaloes,
Bare-bodied,
High-maned;
A woman,
Broad-bosomed,
But moving like a small bird;
Four deer,
White-coated,
With white fluff on their antlers
And white lace on their legs
And with brightly embroidered kilts of old meaning;
Two antelopes
Yellow,
With white chests;
Two elks
With straight horns, green-pronged, down their shoulders;
They entered the plaza.

And the faces of the men,
Being black,
Were no longer the faces of men
But were lost in the godly presences
Of two buffaloes, four deer, two elks, and two antelopes.

And now, for the dance, there was a hunter,
With eagle-feathers hung from head to ankle
And with a swinging bow and arrow.

And they danced the sun up
And carried it on their shoulders
Into the kiva,
Where it should take counsel with gods and men.

And soon they were back again, to dance,
Back with the sun in the plaza.

The chorus,
Darkly sculptural at dawn,
Was vivid now as a mesa topped with plumes:
Closely curved rows of brightness,
With war-bonnets, with bows and guns,
With slashes and dots and angles of red and yellow paint
On their heightened faces
And with sprays of evergreen, to sing by, in their hands.

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And then came another hunter,
Naked, slim, and black,
With a small, sharp helmet of black,
And he circled the dance,
Nervous, deliberate,
With his bow and arrow toward the godly animals.

Circling, foraging, pacing, pausing,
Scenting, shifting, crouching, speeding,
The buffaloes were buffaloes,
The deer were deer,
The elks were elks,
And the antelopes were antelopes:
Moccasins, lean-muscled legs, rain-girdles, shells of turquoise,
Yet buffaloes, deer and elks and antelopes.

How could a short stick, held in two hands
And planted forward from a leaning back,
Become the two legs of an antelope?
How could a short stick, held in two hands
And planted forward from a leaning back,
Become the two legs of an elk?
How could a short stick, held in two hands
And planted forward from a leaning back,
Become the sidelong poise of a listening deer?

Only the gods can tell us,
Only the gods who danced that day,
The gods who suddenly flung the beauty of animals
And the beauty of men
Into one quick rainfall rhythm of moccasins:

A steady fall, a broken fall, a fall blown circle-wise:

The buffaloes in the center;
With the woman,
Who swayed between and about them like a smooth and friendly wind;
And then the four deer, staffs in a row, feet behind them beating;
And the two antelopes, who had run with delicate hoofs and dainty necks, now beating a foot-song as vital as the rest;
And the elks, with their large-stepping circles;
And the powerful hunter, with his dips and his calls;
And the subtle hunter, doubtful, hopeful,
Weaving, watching
The circling, the foraging, the pacing, the pausing,
The scenting, the shifting, the crouching, the springing;
And then the quick beat again
Of the moccasins of godly men . . .

All day they followed,
Slow as the sun,
Swift as the rain,
Through centuries . . .

All day the strong voices
In unison . . .

Till at sunset,
The chorus,
Ending its song and its drums,
Made us wonder why the wind had died on the moment,
Why the heart had ceased from hearing itself,
Where the water was lost that had been heaving through the ditches,
And where the hoofs were gone from beating on the sky.

Dead, ceased, gone?
They?
Or we?

We saw, that night, the shadow,
Passing,
Of a hundred years upon a thousand years.

And a larger earth
Absolved us
Of ourselves
With a song of ourselves,
Of godly animals,
Of godly men
Who follow forever
The rising and the falling of the hills,
Deer, buffalo, elk, antelope, hunter,
Our thighs and ankles painted with the red adobe and the white rain,
Our breast and forehead with the turquoise sky.

In the Driftway

PARIS has been having an agitated controversy in regard to manners in shops. What are the obligations of buyers and sellers? Does the girl behind the counter need more patience and politeness, or does the public need to exercise a little more sense and consideration? These are some of the questions that the French have been asking and answering, with opinion of all sorts and on all sides.

* * * * *

AND now a writer in the Manchester *Guardian* has joined the controversy with some observations on the English shop assistant and the differences between buying customs in France and England:

> It must be understood from the beginning that politeness, as understood in France, is a very different thing from that which obtains, for instance, in England. The English person who has lived in France turns with relief to the civility of the average English shop assistant. The French shopper, on the other hand, is apt to find her too restrained and uninterested. . . . With the extreme thrift and even parsimony of the French, the French shop assistant has probably a very much harder task than is the case with her English sister. This is evidenced by the way in which French shops will take back things that have been paid for. Even stuffs which have been cut off are taken back if they are over a certain length.

* * * * *

THE French customer, observes the writer in the *Guardian,* expects a personal interest on the part of the saleswoman, and adds:

> That is probably the greatest difference between the shops of England and France. The French saleswoman actually does become remarkably interested in her customer's purchases. That is part of her job, just as it is not the part of her job in England to obtrude her advice too much. This very personal relationship has its other side.

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With extreme care and attention there is also found in French shops a good deal of indifference and even rudeness. It would be impossible to keep up the personal note all day.

* * * * *

NOW the Drifter has shopped both in England and France as well as in America and a good many other countries. It is an experience which nobody traveling in a foreign country should miss. Indeed, a liberal education in tastes and customs is to be found merely by looking in the shop windows. Undoubtedly the writer in the *Guardian* is right in emphasizing the willingness of French stores to take back or exchange goods in contrast to the policy in English shops. The French custom in that regard is as liberal as the American. But a point which the writer in the *Guardian* does not mention is the feeling in most English shops—as distinguished from those in France or America—that anybody coming in must *buy something*. That attitude has broken down somewhat in recent years, but it is still largely true that one who looks over goods in an English shop and walks out without purchasing—unless for a clearly good reason—is likely to be followed with a frigid glance (or a tart remark) pronouncing him a bounder.

* * * * *

ONE does not have to buy in a French shop, but if he does it often becomes a contest in wits to an extent that rarely develops in England or America. Fixed prices now prevail in t'.e larger Parisian stores, but commonly not in small shops and in country towns. One not only haggles over prices but he demands that extras be thrown in. The American dictum that "the customer is always right" doesn't hold. Buyer and seller often get into violent arguments in which they assail each other's character and ancestry. It would seem that these bouts must end in blows—but they rarely do. It is all a part of the game.

* * * * *

GENERALLY speaking, the Drifter's sympathies are with the salesgirl. He recalls, with pleasure, the story of the woman who after looking at fifteen or twenty rolls of cloth turned to walk out of a store with the remark: "Thank you, I was just looking for a friend." To which the salesgirl answered sweetly: "If you think your friend is in that roll on the top shelf, I'll get it down too."

THE DRIFTER

Correspondence

General Weaver—Young and Old

TO THE EDITOR OF THE NATION:

SIR: I am grieved to the heart because of misunderstanding and consequent misrepresentation of General Weaver.

In *The Nation* of July 2 William Hard speaks of "the ideas and purposes of the late good old James B. Weaver of Iowa, who ran on the Populist ticket for President in 1892."

This is an intimation that the Populist Party of 1892 represented "the ideas and purposes of James B. Weaver" and that his most notable achievement was being presidential candidate for that party.

Very different are the real facts in the case. It is true that in 1892, as candidate on the Populist ticket, he received 22 electoral votes and about a million and a half popular votes, while in 1880, as candidate of the Greenback Party, he got less than a million popular votes and no electoral. Still, that 1880 vote meant a great deal more to him than the 1892.

In 1880 Weaver, the magnificent, the peerless, represented a living, growing party, with a definite name, pledged to a definite purpose, and any one who saw and heard him then could never think of calling him "good *old* James B. Weaver."

In 1884 Ben Butler killed the Greenback Party dead past resurrection. In 1892 Weaver represented its galvanized corpse, dolled up in "free silver" and other bangles. Is it strange if in his face, his voice, his gestures, we who knew him saw the question, "Who shall deliver me from the body of this death?"

General Weaver went into the campaign of 1892 with little of the vigor that had characterized him as a debater in Congress, as a traveling platform speaker, and as presidential candidate for the Greenback Party in 1880. I heard him once in 1892 and went away sorrowful. He made a good speech, far better than most of his political opponents, but to one who had known him in former times it was plain that his heart was not there. He was a broken man.

I wish Mr. Hard could have known Weaver as he was in the early eighties. At that time my home, like many others, was a sort of headquarters for the itinerant Greenbackers who were trying to take the issuing power of money from private hands. Perhaps if they had succeeded historians might have less of bloodshed and tyranny to write in their record of the United States of America.

Denver, Colorado, August 1 CELIA BALDWIN

Liang Shih-yi in America

TO THE EDITOR OF THE NATION:

SIR: It is indeed a crime of Liang Shih-yi to have deceived the American people by telling that he is the Chinese representative when he visited President Coolidge and thanked for America's returned indemnity to China. It would be also a shame of the Chinese people if they had appointed him as representative. I do not attack his personality from personal point of view. It is only necessary, however, to bring the facts to American friends when Liang Shih-yi endeavors to make rumors which insult the Chinese people.

Liang Shih-yi's nature is intrinsically and originally bad, judged from what he has done to the Chinese people as well as to mankind. He played politics in Ching dynasty with a very bad record. In Yuan Shih-ki's Government he was Minister of Communication and did more harm than ever before. During the Washington Conference he took the premiership under the patronage of Chang Tso-lin, the well-known war-lord of Eastern three provinces. As the Washington Conference was going on he strongly advocated direct negotiation about Shantung question between Japan and China, which was fortunately rejected by the Chinese people. What was his motive is obvious. He wanted to get personal advantage at the expense of the nation. Happily he was charged as a traitor, and he is still under arrest.

Just before he came to this country he visited Europe with a certain purpose in mind. In Germany a tragedy happened to him; but to the Chinese people it was an extremely interesting comedy. He was severely punished by a group of Chinese students in a Chinese restaurant when he was eating with his son and some members of Chinese Legation in Germany. So many blows were presented to him that the members of Chinese Legation trembled. Then Liang Shih-yi's filial son came up to rescue his father with every effort. But a Chinese student checked him and said: "It does no matter with you; we let you see how we punish the traitor!" Finally, Liang Shih-yi was lying down on the floor and cried with a melancholy voice: "Kindly forgive me; otherwise, death will fall upon me very soon." It is due to God's help that he was not beaten to death.

Shamelessly he still has face to come to this country. The reason why he could escape our Chinese students' punishment

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in this country and England is that law and police in these two countries obstruct our doing so. Such a situation we regret. Liang Shih-yi's reason for coming to this country most probably has something to do with American capitalists. We Chinese people declare that Liang Shih-yi is a traitor, and any contract concerning China made by him we can by no means recognize.

Columbia University, New York, August 15 C. F. LIU

What Fannie Hurst Really Thinks

TO THE EDITOR OF THE NATION:

SIR: If you reprinted and commented upon my interview with Walter Duranty, published in the New York *Times*, *after* reading the Paris interview that was reprinted all over America, I am grateful to you for your discernment.

That Paris interview was a grotesque! It is true that I have come out of Russia with certain disillusionments, but not the hodge-podge of cheap, sensational catch-phrases calculated to make headlines. In giving out the Paris interview, I commented at length on the favorable as well as the unfavorable aspects of Russia, as they appeared to me. I did not leap into the hysteria of condemnation that was eventually published in the name of an interview with me.

I too well realize the futility of trying to contradict an interview that has gone broadcast to the extent of the one in question, but at least I want to go on record as protesting against the kind of sensational journalism that will sacrifice truth on the altar of the catch-phrase.

Everything contained in my interview with Mr. Duranty was said also in the Paris interview, but apparently it was not sufficiently spectacular meat for either foreign or home consumption. The high lights of my negative impressions were picked out and flung into misleading prominence.

Convinced as I am that the Russia I beheld is far from the goal her well-wishers have set up for her, my faith in the ultimate success of the experiment has not wavered. I shall take pains to clear that up in my forthcoming articles.

Meanwhile, I am grateful to you and to your paper for assuming that the quiet Duranty article may be just as true as the hysterical Paris one in question.

New York, September 8 FANNIE HURST

[We had read both the interview in Russia, cabled to the New York *Times* by Walter Duranty, and the interview in Paris, printed in New York by the *Herald Tribune*, at the time we made our editorial comment in *The Nation* of September 10. We accepted Mr. Duranty's version as the more truthful—partly because of the usual accuracy of his dispatches and partly because the sentiments seemed to be more in accord with Fannie Hurst's general attitude. Curiously enough, Mr. Duranty's dispatch was ignored in his own office. Comment was made in the column "Topics of the Times," based entirely on the garbled Paris interview.—EDITOR THE NATION.]

La Follette and Imperialism

TO THE EDITOR OF THE NATION:

SIR: I have much admiration for Senator La Follette and many reasons incline me to vote for him at the coming election. I wish, however, that the public might know more definitely about his attitude toward the growingly imperialist policy of our Government through more than twenty years. The American people profess their reprobation of war; they doubtless hate it so far as they can lay the blame for it on other people. But they ask very few questions concerning the little wars, however unjust and cruel, over which the State Department spreads the name of the Monroe Doctrine, or offers the plea of business interests, or raises the scare-head of "bolshevism." What government in the world is more averse than ours to any substantial disarmament? Costly armaments are a fascinating emblem of power and national distinction.

I do not wish overmuch to blame our public men. Perhaps no one clearly planned the imperialistic policy. At first it simply grew and no one noticed it. Even when President McKinley weakly consented to venture upon the Spanish War and presently took over under our flag a great group of Asiatic islands and millions of unwilling subjects, few Americans were quite conscious that we were now engaged in a course of imperialism as real as ever Russia or Great Britain had undertaken. Both parties have united in fastening this imperialistic policy upon the nation. This policy is always aggressive, and requires a considerable force—for "defense," of course—not of its own people, but of its aggressive conduct, in order to hold what it has seized and to play the game of bluff among other Powers.

The worst of it is that such a policy, once accepted, does insidious mischief to the character of the men who are selected to carry it out. Like an inevitable fate, it grips men of good but conventional morality, such as Mr. Harding and Mr. Hughes, loads them with responsibilities alien to their previous experience and their official position, puts force such as no mortal ought ever to wield within call of their telephone, and pours through their feebly ballasted wills a sort of monstrous, composite, impersonal will to violence. This is what happened everywhere in the course of the Great War.

Ought we not to know what Mr. La Follette thinks of our American brand of imperialism and what he proposes to do if he is ever made the commander-in-chief of our enormous actual and potential militaristic establishment? Here is something "not to be entered upon lightly or inadvisedly."

The profoundest question before the world today concerns the international atmosphere in which henceforth the sixty or more nations upon the earth are going to live. Can we develop a generally humane and friendly atmosphere, or must we continue to live in the poisonous air of suspicion, fear, contempt, arrogance, and hate which makes war and grows out of war? It is given to the United States, as to no other nation, to take the lead in creating for the first time in history a valid civilization. We cannot effect this splendid service without renouncing our imperialistic policy and the display of warlike force which attends it, and the harsh and arrogant tone of the official voice which is bound to betray it (as in the recent conduct of our Congress toward Japan), and which spreads a nervous feverishness throughout the world. Let us set aside for good and all our armed meddlesomeness in foreign affairs and put on a decent and friendly face toward the people of every race and color, and we have nothing to fear from any corner of the earth.

Southwest Harbor, Maine, August 5 CHARLES F. DOLE

Snappy Work

TO THE EDITOR OF THE NATION:

SIR: This will acknowledge the copy of "La Follette's Record," by Arthur Warner, which we note is stamped for "immediate release." This is exactly what it will get, for we shall release it to our waste-basket immediately.

Bristol, Connecticut, September 11 ARTHUR S. BARNES,
Manager, Bristol Press Publishing Company

The Facts
About
John W. Davis
IN NEXT WEEK'S NATION

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Books

Mr. Asquith's Leisure

Studies and Sketches. By the Rt. Hon. H. H. Asquith. George H. Doran Company. $3.50.

TO read this volume continuously is like making one's way straight through an encyclopedia. We are carried from Some Aspects of the Victorian Age to The Last Crusade, from Sir Henry Wotton to Reading and Writing, from Modern Biographers to the "Antigone," and from a *Spectator* article on The Age of Demosthenes to a speech in Parliament on the death of Joseph Chamberlain. Nothing could better illustrate the versatility of the author and his cultivated interest in pursuits that lie far away from contests at the Bar and in the House of Commons.

In one chapter, his presidential address to the English Association, Mr Asquith describes his own "literary stock in trade" as "at best that of a somewhat threadbare amateur." That self-appraisal is certainly too modest. An amateur he may be, in comparison with the professional specialist, but his literary judgments are by no means a dull and hackneyed repetition of the conclusions of Professor Dryasdust. Whatever the subject he discusses, he brings to it an open mind, a catholic taste, the equipment of a trained scholar, and a lucid though nervous style. His critical faculty, as befits so distinguished an ornament of Balliol, exercises itself most readily and effectively on classical material. His little paper on The Art of Tacitus is a gem of literary and historical criticism. If he had not been a politician and a lawyer, Mr. Asquith would have made an ideal tutor in the honors school of Litterae Humaniores.

In such leisure as has been left him from one of the most industrious of public careers Mr. Asquith has found time to explore even the byways of literature. He claims to be one of the few persons who have attempted to grapple with that "fragment of a portentous epic," the "Davideis" of Abraham Cowley. But he has not allowed his attention to be absorbed by the bizarre and the unusual. He has read the great books, and has formed a sane and independent judgment of them. Here, for instance, is a characteristic sentence occurring in a paragraph on the value of terseness in style. "Cicero and Burke," he says, "are vulgarly called diffuse writers; but if you examine their best passages (and every writer ought to be judged by his best), you will not find a superfluous word." While he deplores the "vast multiplication of flimsy rubbish" which caters in these days to the popular taste, he confesses to "an almost insatiable fondness for good detective stories, from the great M. Lecocq and still greater Sherlock Holmes down to the latest and least of their French and American rivals."

The most valuable single contribution to this volume is undoubtedly the initial chapter on Some Aspects of the Victorian Age, delivered as the Romanes Lecture at Oxford in 1918. The terms of the trust excluded, unfortunately, from permissible subjects the two great controversial domains of politics and theology, and Mr. Asquith can merely touch upon them in passing. But the field that remains is large enough to provide him with an opportunity of which he makes effective use. Those who contemptuously dismiss the achievements of this period as of slight importance in the history of the human intellect ought to be set to read this admirable survey, in which the lecturer has "tried to show something of the extent and of the splendor of the contribution which the Victorians made to man's common and ever-growing heritage."

Incidentally, this book provides the collector of curiosities of the press with one of the most amazing and amusing misprints ever perpetrated. The proofreader has allowed Mr. Asquith to speak of Mark Pattison as passing his days "in Llama-like seclusion."

HERBERT W. HORWILL

An American Statesman

American Problems. By William E. Borah. Duffield and Company. $2.

THIS is a collection of some twenty-two speeches in the Senate, excerpts from addresses, and resolutions, covering a period of twelve years. While the selection does not do full justice to the intellectual breadth and courage which have vigorously identified Senator Borah with a greater variety of causes than any other man in Congress, the evidence of his eloquence and sincerity, of his almost unique combination of firm-principled old-fashioned Americanism and intelligent progressiveness is conspicuous on nearly every page. The words that he applies to Lincoln are as true of him:

> He possessed in a remarkable way the capacity for intellectual solitude, even in the midst of the throng—yet he never lost faith in the throng. He paid the people the high compliment of speaking to them in the language of reason and true eloquence. He believed they would accept a great principle as a controlling basis for action. . . .

Throughout the Great War and since, when men's minds became warped by passion and by propaganda, Borah stood fast for the fundamental liberties. In April, 1917, he said:

> Without an unfettered press, without liberty of speech, all the outward forms and structures of free institutions are a sham, a pretense—the sheerest mockery. If the press is not free; if speech is not independent and untrammeled; if the mind is shackled or made impotent through fear, it makes no difference under what form of government you live, you are a subject and not a citizen. Republics are not in and of themselves better than other forms of government except in so far as they carry with them and guarantee to the citizen that liberty of thought and action for which they were established.

And six years later, speaking for the release of the political prisoners, he declared:

> During the Great War the Congress passed what is known as the Espionage Act. It was passed as a war measure. It was claimed that we had authority to pass it because we were engaged in war. I did not myself believe that even though we were engaged in war we had the power to pass the law. . . .
>
> This law . . . is now a thing of the past. I have only one observation . . . and that is, I trust that at no time in the future will it ever be considered as a precedent for the enactment of any measure of that kind again. It should be regarded . . . as not only opposed to the principles of free government in time of peace, but also in time of war. I do not believe that laws of repression, laws which deny the right to discuss political questions, are any more necessary in time of war than in time of peace and I do not believe they are constitutional either in time of war or in time of peace.
>
> If this blessed old republic cannot rest upon the free and voluntary support and affection of the American people in time of war as well as in time of peace, if we cannot, as a people, be free to discuss the political problems which involve limb and life, even in time of war, our government rests upon a very brittle foundation.

Borah is not a faddist, however lightly he holds party allegiance when it conflicts with his convictions. While he felt a strong spiritual sympathy with the Bull Moose movement of 1912, he saw clearly its obvious weaknesses; nor did he hesitate to condemn some of its most "advanced" proposals. Of the recall of judges he said:

> I am afraid that the principle of the recall as applied to judges will tend to establish the rule of the majority in matters of judicial controversy. . . . Though the majority must rule, yet a government which has no method for protecting the rights of the minority—for it has rights—is a despotic government. . . .

Senator Borah has been unsparing in his condemnation of

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the Versailles Treaty, the ratification of which in the Senate he thus attacked in September, 1921:

> The Versailles Treaty in my judgment is the most pronounced negation of the moral law which has yet been crystallized into form by the hand of man. It must in the end, after working what evil and enforcing what misery it may, also perish. . . . There it is, harsh, hideous, naked, dismembering friendly peoples, making possible exploitation of vast populations, a check on progress and . . . challenging every precept upon which the peace of the world may be built.

The same speech reveals much of his world philosophy:

> One of the revolting monstrosities born of the war, the illegitimate offspring of secret diplomacy and violence, is the absurd, iniquitous belief that you can only have peace through martial means—that force, force, is the only power on earth with which to govern men. I denounce the hideous, diabolical idea, and I insist that this Government ought to be counted against all plans, all treaties, all programs, all policies based on this demoniacal belief.

Senator Borah's successful effort to bring about the disarmament conference was a concrete realization of this conviction. Subsequent proposals for an international economic conference and for recognition of Russia were other expressions of the same general outlook.

Always Senator Borah has been a passionate defender of the Constitution, a consistent upholder of the ancient doctrine that "ours is a government of laws, not of men," a vigorous assailant of corruption, waste, and partisanship in the conduct of government, an opponent of militarism, a persistent champion of all that is best in the American tradition. He fought the bonus relentlessly when political expediency would have counseled otherwise. He exposed the infamy of our bureaucratic and military imperialists in the Caribbean and Central America. Always his utterance has been the untrammeled expression of his conscience—a voice, often in recent years, in a wilderness of political quackery, calling to a spirit that is not yet dead in America.

ERNEST GRUENING

Central Europe

New Governments of Central Europe. By Malbone W. Graham, Jr. Assisted by Robert C. Binkley. Henry Holt and Company. $4.

POLITICAL literature is one of the greatest export items of the Central European countries. A clamorous advertising campaign is going on in the basin of the Danube calculated to charm the world's attention to this or that star on the political firmament of war-rent mid-Europe. Czecho-Slovakia is anxious to support her claim to the hegemony among the succession states by a well-conducted scientific warfare of information which some of her less friendly neighbors denounce as shameless propaganda. White Hungary is angry with all the world in addition to her own Jews, liberals, communists, and the other component parts of that unspeakable rabble of anti-Whites. She expresses her opinion along these lines in a whole library of unequivocal terms. The Jews, liberals, communists, and the other unspeakables are launching a counter-offensive the magnitude of which is limited only by the running capacity of the Vienna printing presses. Serbia is trying to convince the world that Croatia is simply in love with her, while some Croatian writers declare that Serbia is the greatest enemy of their nation. At the recent municipal elections in Slovakia there were constituencies in which twenty-five political parties were fighting for power. They all had more or less different opinions about the real interests of their country which they generously communicated with much waste of white paper to an eagerly listening humanity.

In this bewildering maze of propaganda which characterizes the making of a new Central Europe it is not always easy to find one's bearing. Propaganda is usually clad in an impressive armor of scientific data. On the other hand, what seems propaganda today may become the history of tomorrow if the party which handles it succeeds in attaining permanent power.

In view of these difficulties the present volume deserves to be spoken of with the greatest appreciation. It would not be fair to say that it is non-partisan. This term implies a certain lukewarmness which leaves the reader unsatisfied. Mr. Graham's volume is partisan in the best sense of the word. It approves or disapproves of political tendencies, parties, and politicians in a measure warranted by a careful and accurate appraisal of their qualities. It not only effectively records facts but it also helps one to arrive at an intelligent opinion concerning the past achievements and future possibilities of the nations under discussion.

The field covered by Mr. Graham comprises the post-armistice history of Germany, Austria, Hungary, Czecho-Slovakia, and Jugoslavia. It records every event of importance as accurately as any "100 per cent fact-er." It emphasizes the national characteristics of the new Central European states, points out the similarities and divergences in their constitutions, their conceptions of independent national life, and their aspirations. The bitter struggle of liberalism with reaction takes up a considerable part of the chapters dealing with the situation in contemporary Germany. In the history of Austria, special attention is paid to the dualistic nature of the inhabitants, divided as they are into Socialist city-dwellers and predominantly Christian Social villagers. Turning to Hungary, Mr. Graham speaks with much understanding of the noble efforts of Count Karolyi to win that country to democracy. Admiral Horthy's regime, which is justly described as the white terror, is held up to the students of Central European history as destructive. Czecho-Slovakia is mentioned as the most ambitious state of the new mid-European countries, which, deservedly, enjoys a privileged position in the comity of the Danube states. Lastly, Jugoslavia's position is described in considerable detail and the dangers which are inherent in her present triunite system of government are pointed out.

The last part of the book contains valuable documentary material illustrative of various phases in the post-war history of the new countries. To the research worker they mean all the more, because some of the documents here reprinted have not been easily accessible heretofore.

It is often said that history cannot be written for at least five decades after the event to be recorded. This limitation, however, does not apply to the present volume. It may well be that coming decades will witness an increase in the material at the disposal of historians. It may likewise be that some of the material which today seems to be an integral part of the annals of past events will be expunged as contrary to the evidence produced by subsequent discoveries. But Mr. Graham's work is as near an approach to positive history as careful observation and absorbing interest in the subject permit in recording the ever-changing political and economic life of present-day Central Europe. It is to be hoped that in another volume Mr. Graham will devote his attention to those new states in Central and Eastern Europe that are situated east of the states which he describes in the present volume.

EMIL LENGYEL

An Economist Strays Afield

Legal Foundations of Capitalism. By John R. Commons. The Macmillan Company. $3.

"THE life of the law has not been logic," wrote Mr. Justice Holmes, many years ago; "it has been experience." But this is the whole truth only when applied to what the courts have *done*, in contradistinction to what, in the course of their

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opinions, they *say* they have done. Driven by the practical necessities of a changing world, the courts have repeatedly reached decisions which would never have been reached if the governing precedents had been logically applied. Yet in rendering a decision which, as a matter of fact, changes the whole course of the law, the judges have almost invariably stated that their conclusion was based upon precedents or accepted principles which they had merely extended, by the methods of logic, to the new problem of the case before them. The language of the judges, therefore, as distinguished from what they actually do, is only the shadow and not the substance of the law, and cannot be taken too seriously.

Now, though all this is obvious to a legal scholar and a judge like Mr. Justice Holmes, it is difficult, if not impossible, for a layman to realize it fully. And so we find Mr. Commons, a distinguished economist, one of the most important men in the country in the labor field, making a serious study of the opinions of judges since the early days of the common law, and from this study attempting to describe and analyze the legal foundations of our capitalistic order. Being a layman, it is quite natural that Mr. Commons should take the language of the judges too seriously; nor is it surprising not only that he ascribes to their language a legal significance which it does not have but also that he finds in law-sheep bindings universal principles of economic and ethical philosophy.

A distressing lack of any real unity, either of thought or of treatment, makes it quite impossible to summarize or even to outline, within the limit of a review, this book of 400 closely printed pages. A few examples of Mr. Commons's approach to his broad subject must suffice.

The most unfortunate feature of this book (which Mr. Commons tells us was "commenced thirty-five years ago") is the entrance of a lay economist into the field of legal terminology. It is undoubtedly true that lawyers are careless in their use of legal terms. Undoubtedly such slipshod use of words impedes accurate analysis. In recent years certain legal scholars, familiar with the whole field of common and civil law, have worked out a set of artificial symbols, and urged that these be adopted as the working tools of the profession, to be used in a known, agreed sense. But to Mr. Commons such artificial symbols are of fundamental, even of universal significance. He crams into these arbitrary word-symbols meaning so complex and so foreign to the legal principles they must express as to make them valueless to a lawyer or a judge seeking to analyze some concrete legal problem; and surely there is almost no other justification for the new terminology.

Any exposition of the legal basis of capitalism must, of course, include a discussion of the meaning of "property." In tracing the development of this concept from the time of William the Conqueror to the present day, and particularly as it appears in the successive decisions of the federal Supreme Court, Mr. Commons performs what is probably the most satisfactory piece of work in his book. Yet one cannot but regret that he stopped where he did, instead of completing the picture, and making clear, once for all, the essential nature of property and of property rights.

Property, Mr. Commons might have made clear, is simply a *dominion*, flowing from and dependent upon the sovereign power, and only so long as the sovereign protects this dominion is there either property, or the earning power of property, called "value." Having established this beyond doubt Mr. Commons would then have been in a position to show in detail (as Mr. Donald Richberg has demonstrated in outline) that this dominion which we call property can exist only under the mantle of the sovereign's protection; that the sovereign is constantly creating, modifying, or destroying property, by extending or withdrawing or changing the boundaries of its protection, and as a consequence the dominion enjoyed by individuals is being enlarged, contracted, or destroyed. He could have pointed out that this process of molding property rights goes on without violating the constitutional provisions which safeguard property, because the privileges of dominion destroyed or modified were subject to destruction or modification by the very manner of their creation. Whatever the reason, the fact is that Mr. Commons has not set out and emphatically established these fundamentals. He has therefore missed an opportunity to silence the magpies who are constantly chattering about the interference of the legislature and the courts with their "natural and inherent" rights of private property, as if, without the legislature, the courts, etc., there would be private property rights at all!

Much of the value of his book is lost because many of Mr. Commons's ideas must be dug out, by main force, from a thick mass of heavy phrases and awkward, lumbering sentences. A simple illustration. He wishes to answer the question, "What constitutes the law?" Admittedly this is a serious and difficult question, and one about which many thoughtful books have been written. Mr. Commons answers: "Law is a science of the probabilities of official transactions in the exercise of authorized physical coercion." This may be accurate enough, but notice the simplicity and directness of Judge Holmes's classic definition: "The prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by the law." Undoubtedly the worth of his book would be increased tenfold if Mr. Commons could have maintained that ease and simplicity of expression of which he is at times the master.

DAVID E. LILIENTHAL

Books in Brief

Cyrano de Bergerac. Voyages to the Moon and the Sun. Translated by Richard Aldington. E. P. Dutton and Company. $3.

French Comedies of the XVIIIth Century—Regnard: *The Residuary Legatee.* Lesage: *Turcaret or The Financier.* Marivaux: *The Game of Love and Chance.* Destouches: *The Conceited Count.* Translated by Richard Aldington. E. P. Dutton and Company. $3.

Master Tyll Owlglass. His Marvellous Adventures and Rare Conceits. Translated by K. R. H. Mackenzie. E. P. Dutton and Company. $3.

Valuable additions to The Broadway Translations. Mr. Aldington revives Cyrano with the fine enthusiasm of a poet and a scholar, and in the biographical prefaces before the plays which he has rescued from the eighteenth century he displays a charming gift of differentiation. The translation of "Eulenspiegel" here given was done years ago, and now is a little dusty.

Drama

Our Best War Play

MAXWELL ANDERSON and Laurence Stallings have seized the perfect moment. During the five years which have passed since the armistice nerves have regained their tone but memory has not been dimmed, and thus they have managed to set down without a suspicion of hysteria and without a suspicion of sentimentality their vision of that strange and terrible phenomenon, modern war. They have described its brutality without rancor and pictured the inhuman verve and endurance of its heroes without blinking the ugly uselessness of the circumstances which called them forth, so that they have written unquestionably the finest play of the war which America has seen. Moreover they have imbued it with so robust a spirit that we are treated to the strange spectacle of a tragedy which is played to the accompaniment of a continual ripple of laughter without once ceasing to be powerful and moving.

"What Price Glory?" (Plymouth Theater) is written not out of thought but out of experience. The terrible impartiality

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of its verisimilitude, which none of the opposing camps of thought can deny, comes from its authors' realization that whatever their own thoughts may be, what they have seen is more tremendous than their theories. Thus they have described, not argued, but admirable judgment has played its part. Keen intelligence, sweeping the field of memory, has seized upon the significant fact that dramatically the most important thing about war is not death and destruction but the way of life which it develops, that the great conflict just passed lasted long enough and drew into itself a sufficient number of men to develop a civilization or anti-civilization of its own, with a language, a philosophy, and a whole *kultur* as different from that of normal life as the *kultur* and philosophy of the Stone Age were different, and yet as adapted to the conditions of life as it was lived as ours. Upon the description of this way of life they have concentrated their attention.

It was Mr. Stallings, it seems, who actually participated in this new and tremendous mode of life, and he possessed a spiritual robustness sufficient to grasp and understand it. He has caught not only the Rabelaisian rhythm of its speech in which mouth-filling oaths do not stand out, being assimilated to the epic vigor of expression, but also the rhythm of that strange life itself with its simple values and its inexorable demands. Captain Flagg, professional soldier, is the perfect type which such conditions demand and strive to produce. Brutal to his men because he knows that brutality alone can fit them to endure the life they need, foul-mouthed because only so can he give vent to his emotions, and heroically faithful to his job for no reason at all except that men must have something, however irrational, to believe in and serve, he cultivates, unashamed, drunkenness and lust in every leisure moment, not because of any innate depravity, but because they alone are anodynes powerful enough and simple enough to drug such an existence. His men from the top sergeant down imitate as closely as their capacities will permit his adjustment to monstrous conditions; drinking like him, swearing like him, and, like him, reckless in all things, they nevertheless have come to accept hardship and death as normal and unescapable. They have forgotten the desires, the beliefs, and the habits of former life, and developed new and hardy souls fit for the new life which they lead.

Perhaps the concluding incident will best convey the spirit of the piece. Just back from the lines the captain and his sergeant have failed to conclude a duel to the death over an innkeeper's daughter who is too generous with her favors. Then word comes to move forward again. "Good God!" ejaculates the captain, almost dead from exhaustion, "it's the first time in months that I have had a real reason for fighting and now I can't fight. Tell 'em I won't go." But he does go, and his sergeant with him, both quite willing, if both should return, to take up at the earliest moment of leisure their little private tragedy of lust.

The acting honors of the piece are divided between Louis Wolheim as the captain, who comes first, and William Boyd as the sergeant, who comes second. Mr. Wolheim played the title role in "The Hairy Ape" and has thus had the privilege of appearing in two of the best American plays. He is worthy of both.

Mr. Faversham's new vehicle, "The Mask and the Face" (Bijou Theater), from the Italian, contains the germ of an excellent comic theme in its story of a masterful husband who comes to his senses when he sees that putting his ideas into practice awakes the admiration of no one except hysterical women, movie producers, and other ridiculous persons. But it never holds for long the tone of lightly bantering satire which it requires, wabbling distressingly between unconvincing drama and broad farce. "Thoroughbreds" (Vanderbilt Theater) may be described as the sort of play in which the beautiful Southern heroine says to her impetuous wooer: "No, I cannot marry you until I have cleared up the mystery of my birth."

JOSEPH WOOD KRUTCH

LECTURES and AMUSEMENTS

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"WHY TROTZKY HATES MACDONALD"
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In next week's *Nation*

The Record of John W. Davis

A Summary of the Facts

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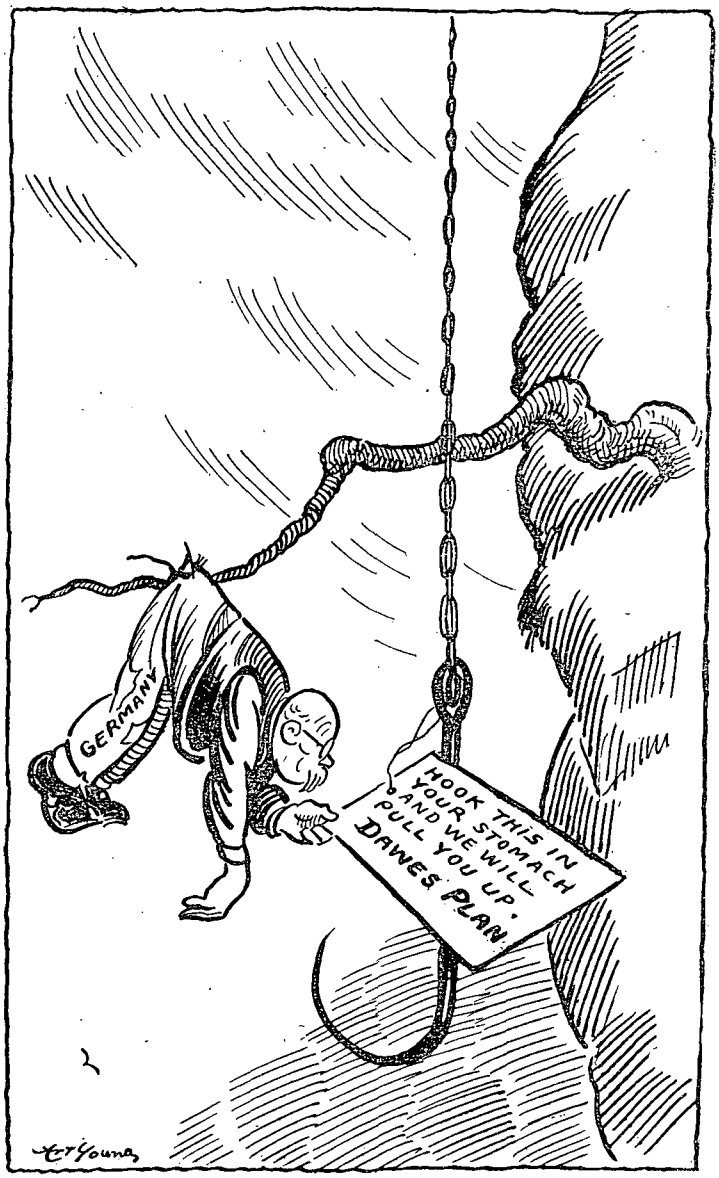
International Relations Section

Will Germany Live Again?

By KARL F. GEISER

Berlin, August 22

THE American tourists who now visit Germany by the thousands and see from the car windows of railway trains the green meadows, the red-roofed hamlets, brooks, winding roads, and well-kept harvest fields that lie in pleasant valleys and extend to the dark-green forest edge on the hills may honestly come to the conclusion that all goes well in Germany now; and those who observe the clean streets and orderly government of great cities like Berlin, Frankfurt, Munich, or Stuttgart will perhaps be convinced that a wave of prosperity is just ahead and that present conditions are about normal. The expert commissions which get much of their information from bankers and money lenders (who now receive from 25 to 80 per cent interest on loans) may determine, with mathematical precision, Germany's capacity to pay. To such the political destruction of a state or the permanent creation of human misery means little. In fact, the Dawes Report specifically states that one of its chief aims is "to set up machinery to provide for the largest annual payments from Germany." That state is duly charged with the crime of having managed her railroads in the interest of her industries; and the American college professor will see in this allegation impeccable evidence of German duplicity and enlighten his students accordingly. An empire of sixty-three million people may be put in bondage, or a nation of seventy million souls may be divided against its will for four decades by a "legal" contract, if only the books balance and trade is restored.



Saved Again

There is nothing in the Dawes Report or the proceedings of the London Conference that would justify the conclusion that the great mass of workers in Germany have any rights that international commissions should respect. German leaders themselves have ceased to appeal to the outside world on the basis of justice or humanity, for they are now convinced that such an appeal does not carry very far in a world where international ethic is determined by the counting house.

"What business have you," said an American official, "to report the miserable conditions in Germany? Such information should be given to the diplomats and those officials of the state who know how to use it." Nor was the remark made in a spirit of heartless cynicism. The fact is many foreign officials do not know the actual conditions that prevail among the masses; the Germans themselves scarcely realize it. Neither is it strange that this should be so. It has now been a decade since the war that made the world safe for diplomacy began, and, aside from occasional convulsions, the masses have gradually drifted into a settled order of misery. As in the cities of Italy and Germany, the relics of ancient and medieval civilization are hidden by modern structures from which the average tourist gains his impressions, so the deepest misery of the German people is not visible to the passing observer: it must be sought if it is to be found. Moreover, the average German does not exhibit his poverty to the outside world; he conceals it, and even a public official who has charge of a welfare department will not readily admit that those under his care are in actual want, for such an admission might be construed as a reflection upon his management. There is always a tendency on the part of every city and state official to put his department upon a self-sustaining basis. In accordance with this principle the Gas and Electric Light Department of Munich last winter raised the rates to the consumers with the result that the poorer classes were compelled to live without gas and light. At a recent session of the German Newspaper Association, held in Stuttgart, the president of that association asked for a concession that would permit the conference to continue beyond the closing hour of midnight. The

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concession was granted but on condition that the association should bind itself to turn over to the city treasury three marks per hour for every person who remained beyond the closing period. These are not isolated examples; they could be multiplied by thousands.

Those who know the characteristics of the race will not deny that the average German is industrious and will not accept charity in any form unless compelled to do so by the grinding pressure of his environment. And if the thought uppermost in the mind of the average German were expressed in a single sentence it would read: "All that we ask of the world today is to be allowed to live and work." Yet of the entire population of the empire, 22 per cent receive charity in some form. In Munich four-fifths of all children, up to six years of age, living in the city, are in part or entirely supported either from public or private charitable institutions; and Munich reflects but the average condition of the large cities. In Berlin conditions are worse, in Stuttgart somewhat better. It should be said, however, in this connection, that the social-welfare policy in Germany is not only better organized than in America, but is also more comprehensive in its scope, for Germany believes, and proceeds upon the theory, that every class, except the rich, is entitled not only to protection but to actual support from the state or municipality during a crisis. The public is therefore taxed to assist the owners of rent-bearing property as well as the wage-earners or the unemployed. Undoubtedly this policy is wise, for it has prevented a general financial collapse. The burden, however, that such a policy places upon the public is enormous, and cannot be carried indefinitely: it is a temporary policy and is based upon the hope of a better future—and an international conference.

It requires neither prophet nor seer to determine whether, and upon what conditions, Germany will live again. Statistics from any one of Germany's large cities, with just a little common sense applied to human nature, will furnish the answer. Take Stuttgart as an example: it has a population of 350,000 and represents the most hopeful condition of any of the larger German cities. Its present budget shows an expense account of 4.8 million marks; it has an income of 2 million marks: a deficit of 2.8 million marks must therefore be met in some way, in new burdens imposed upon the public. There are no reserve funds anywhere. Labor is not paid a living wage; of the 3,000 workers on the city pay roll the average wage is one dollar a day, which is approximately the wages paid to labor in industries throughout the German Empire. The average wage paid to policemen in Berlin is $25 a month, while, with rare exceptions, the salaries to professors in large universities is less than an instructor receives in an American college. But the point of mental depression is not indicated by the mere reduction of incomes, for the young instructors are often dropped entirely from the salary lists in all universities, and the same holds true among officials and employees of every class and every industry throughout the empire. Banking institutions now have reduced their personnel to about one-third of their former number and unemployment is again on the increase.

If space permitted, statistics could be adduced that would tell a story of patient suffering amid discouragement unparalleled by any state in modern times. But at best statistics can give only a faint impression of the life and spirit of Germany today. The significance of the complete destruction of the middle class, which has hitherto formed the basis of all great states, cannot be estimated in figures; neither can the effect of the impoverishment of the intellectual life be measured by formulas devised by economists. But even if one accepts the economic factor as the most significant denominator of Germany's future, as the London Conference did, it is difficult to find reason for optimism. Her industries upon which she must depend for a better future are wavering along every line, and are largely maintained, not from present profits but from capital turned into the wage fund to keep labor employed until help comes in the form of credit and a readjustment can be made upon a self-sustaining basis. But the capital which has thus far been employed to keep labor and industry going is now completely exhausted and the situation has never been more critical than it is today.

Those outside of Germany who feel that the crisis is now past or think that the conclusion of bankers goes to the root of the problem may be perfectly honest in their belief. Politically, Germany seems to be finding herself; her old efficiency is again returning and she is adjusting the burdens of the war in such a manner as to bear equally upon all, so far as that is possible. There is no longer actual starvation, though millions still hunger, and the death-rate has been reduced to about normal. But all this, if correctly analyzed, simply means that government has, to a remarkable degree, controlled the distribution of wealth in the interest of all classes and that they are all equally near to a general collapse.

The fact that cities or states, as corporate entities, may ultimately gain as a result of inflation does not help the present situation in the least, for there is no general surplus in any city or state government, or in any industry. When any branch of government or of an industry yields more than is necessary to sustain it, the surplus is distributed to other departments that are running at a deficit in order to permit the entire organization to function. It is not too much to say that the entire energy of the nation is devoted, not to outstrip competitors but to maintain its local and national life at a standard where, in the opinion of the masses, obedience to law and government will be preferable to anarchy.

No careful observer who penetrates the surface and conventional forms, who sees beneath the exterior, and feels the weak, nervous pulse of this great nation, who really takes the trouble to know its heart and mind, can honestly assert that Germany is hiding her wealth and deliberately evading her responsibility. The great majority of the old aristocratic families and those who were formerly rich and formed the chief support of charitable enterprises lost all their wealth, while the few profiteers who gained by the war give nothing to charity and do nothing to promote the public welfare. The result is that the internal burden of the state must be carried almost entirely by taxation. Where the necessary revenue is to come from, and how the burden of taxation can long be borne, German economists are at a loss to know; and their pessimism is supported by cold, stubborn facts.

Conservative estimates place the total wealth of Germany before the war at 350 milliard gold marks; it is now reduced to 150 milliards. In other words, 200 milliards of value have been destroyed. The total public and private income before the war was about 45 milliard marks; it is now about 20 milliards. This immense loss of wealth and

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income might perhaps be replaced within a reasonable period, if conditions were favorable and the chief sources of wealth were not destroyed; but the treaty makers, with the help of the experts, were very careful to see that every natural and convenient resource upon which the life of Germany must depend should either be crippled or destroyed. Her land area, exclusive of colonies, was reduced from 540,857 to 470,314 square kilometers; her population, from 64,925,993 to 59,858,284. Nor can it be said that the loss of territory is relieved by the loss of population, for aside from the fact that the most productive areas were taken by the Allies, the population per square kilometer has increased from 123.8 in 1914 to about 135 in 1924. Based upon pre-war conditions, economists have estimated that Germany loses annually, as a result of the treaty but exclusive of the Saar territory, more than one-tenth of her cereals, and more than one-tenth of her live stock, while her industries, upon which 40,000,000 depend for a living, are throttled by an annual loss of approximately one-fifth of her coal, one-fourth of her lead, two-thirds of her zinc, and three-fourths of her iron. The total number of her factories has been reduced by about one-fourth; but here again the significant fact is not the destruction or loss of property but the conditions which the treaty, subsequent conferences, and French occupation of the Ruhr have imposed upon German industries everywhere. In Solingen and its environs, to take but a single example from the illegally occupied area, there are about 600 industries where French control is absolute and harsh; import and export duties are levied and administered with the greatest possible annoyance to the managers and a needless cost to the owners of about 10 per cent of the profits. As a result employers have been unable to pay workmen their wages for the last two months—the very period, by the way, during which the London Conference adopted the Dawes Report, which asks Germany to pledge, as a guaranty for the payment of reparation, her industrial bonds!

Another fact which escaped the makers of the Dawes Report—and also the American newspapers—was connected with taxation. Every manufacturing concern, large or small, must pay an annual minimum tax of at least 10 per cent upon the volume of business transacted, regardless of profits or losses. There are, of course, in addition to this, many other forms of taxation: general property, incomes, land, excess profits, sales, privileges, luxuries, and amusements are but a few that may be mentioned. Taxes are, in fact, so numerous and complex that every large business concern has attached to it a special tax expert who determines the amount that must be paid under the various heads. No dogmatic statement, therefore, should be made upon this subject in a general article upon German living conditions. But it may be safely said that when an international conference in London or Paris attempts to estimate Germany's capacity to pay, and bases that estimate upon the hitherto accepted economic formulas or upon the volume of business transacted, it is practically worthless when used as an index to the real conditions of life at present or to future possibilities.

Official Germany has now accepted the Dawes Report. There was nothing to do but to accept when America said: "Unless you accept, no credit will be extended to you." But unofficial Germany—the composite opinion of all classes—does not believe that the Government can live up to the contract signed in London and accepted by the Reichstag. Unofficial Germany will call your attention to the fact that not a single one of the large Powers has offered to the German people a single concession to relieve their distress, or given the faintest hope for a better future, without demanding in advance more than an equivalent in return. Even the MacDonald Government, from which disinterested and generous action might have been expected, reimposed the 26 per cent export duty upon German goods the moment the London protocol was signed; and American protected interests may also be trusted to keep out German goods though 110,000,000 consumers would be benefited by their free entry into the United States.

Let there be no mistake: the Dawes Report was not framed to liberate or aid Germany; if it had been, it would not have taken the supreme control of the railways out of German hands. That control was taken by the foreigner as the final guaranty that German commerce could be throttled at any moment that it threatened its competitors by increasing the transportation rates. This is the sum and substance of the Dawes Report. If Germany as a state survives under this plan it will not be by virtue of her own right or merit but by the sufferance of her enemies.

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